

# FEDERAL REGISTER

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Washington, Wednesday, June 19, 1946

## The President

### EXECUTIVE ORDER 9737

REVOKING SECTION 3 OF EXECUTIVE ORDER 9328 OF APRIL 8, 1943, RELATING TO THE STABILIZATION OF WAGES, PRICES, AND SALARIES

By virtue of the authority vested in me by the Constitution and the statutes, including the First War Powers Act, 1941, as amended, and the Emergency Price Control Act of 1942, as amended, and as President of the United States, it is ordered that section 3 of Executive Order No. 9328 of April 8, 1943, relating to the authority of the Chairman of the War Manpower Commission in connection with the stabilization of wages, prices, and salaries, be, and it is hereby, revoked.

HARRY S. TRUMAN

THE WHITE HOUSE,  
June 17, 1946.

[F. R. Doc. 46-10388; Filed, June 17, 1946;  
5:27 p. m.]

## Regulations

### TITLE 6—AGRICULTURAL CREDIT

#### Chapter II—Commodity Credit Corporation

PART 260—FLUID MILK PAYMENT PROGRAM  
MODIFICATION OF OFFER IN FORT WAYNE, IND., MARKETING AREA, JULY 1945 THROUGH JUNE 1946

In accordance with § 260.60, paragraph 5, of the offer entitled "Offer of the Commodity Credit Corporation to make Fluid Milk Payments in the Fort Wayne, Indiana, Marketing area during the Period July 1945 through June 1946", § 260.60, paragraph 1 of the offer is modified, effective June 18, 1946, at 12:01 a. m., c. d. s. t., by deleting the last sentence of paragraph 1 and substituting therefor the following: "The rate of payment per hundredweight of milk shall be, in any calendar month except the period June 18, 1946 to June 30, 1946, computed as follows: From the Class I price determined for such month pursuant to Order No. 32 subtract \$3.53. For the period June 18, 1946 to June 30, 1946, the rate of

payment shall be identical with the rate of payment computed for May 1946."

Issued this 18th day of June 1946.

[SEAL]

COMMODITY CREDIT CORPORATION,  
N. I. TAYLOR,  
Acting President.

Attest:

MARION M. CRUMPLER,  
Assistant Secretary.

[F. R. Doc. 46-10426; Filed, June 18, 1946;  
11:18 a. m.]

### TITLE 7—AGRICULTURE

#### Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 9-19, Amdt. 6]

PART 1220—FEED

OILSEED MEAL SET ASIDE

War Food Order No. 9-19, as amended (11 F.R. 789, 1145, 2213, 3077, 4445, 5853), is hereby further amended by deleting paragraph (b) and substituting in lieu thereof the following:

(b) *Quantity to be set aside.* No processor shall deliver oilseed meal to any person unless, at each processing plant operated by him, he shall, during each calendar month, set aside and hold for delivery as directed by the Order Administrator 10 percent of his production of oilseed meal during such calendar month.

This amendment shall become effective at 12:01 a. m., e. s. t., July 1, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order 9-19, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal. (E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087, W.F.O. 9, 11 F.R. 669)

Issued this 14th day of June 1946.

[SEAL]

C. C. FARRINGTON,  
Acting Administrator, Production and Marketing Administration.

[F. R. Doc. 46-10367; Filed, June 17, 1946;  
4:12 p. m.]

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[WFO 9, Amdt. 8]

## PART 1220—FEED

## RESTRICTIONS ON DELIVERY, RECEIPT, AND USE OF SOYBEANS

War Food Order No. 9, as amended (11 F.R. 669, 2215, 2436, 4383), is hereby further amended as follows:

1. By adding immediately after paragraph (a) (17) the following new paragraphs:

(18) "Soybean merchandiser" means any person, other than a country shipper, who buys and sells soybeans on his own account.

(19) "Soybean trucker-merchant" means any person who purchases soybeans at the farm from the producer and, without warehousing, delivers them to a buyer by truck.

(20) "Terminal elevator operator" means a person who owns or operates a grain elevator, warehouse, or barge loading or car loading facility, located at a terminal or subterminal market.

2. By deleting paragraph (d) (2) and substituting in lieu thereof the following:

(2) No person shall, during any calendar month, receive or direct the delivery of protein meal, or contract or offer to receive or direct the delivery thereof, whether by purchase and sale, trade, barter, gift, loan, exchange, or otherwise, in any quantity in excess of the total quantity of protein meal received by

such person during the corresponding calendar month of 1945. In computing the maximum amount of protein meal which may be received or contracted for, or the delivery of which may be directed under this paragraph (d) (2), urea shall be counted as protein meal at the rate of six (6) tons of protein meal per ton of urea.

3. By deleting paragraph (h), and substituting in lieu thereof the following:

(h) *Restrictions on soybean purchases and inventories.* (1) No processor, soybean products manufacturer or seed dealer shall purchase or accept delivery of soybeans of the following crops, or contract to purchase or accept delivery thereof, in any quantity which will cause his inventory of soybeans of such crop, plus all quantities thereof with respect to which he has a contract to purchase, to exceed his manufacturing, processing or seed sales requirements for the following periods:

(i) 1945 crop soybeans—period ending October 10, 1946.

(ii) 1946 crop soybeans—period ending October 10, 1947.

(2) No country shipper, terminal elevator operator, soybean merchandiser, soybean trucker merchant, or other person engaged in buying and selling soybeans shall purchase or accept delivery of soybeans, or contract to purchase or accept delivery thereof, in any quantity which will cause his inventory of soybeans, plus all quantities thereof with respect to which he has a contract to purchase, to exceed his delivery requirements under existing contracts with processors, soybean products manufacturers, seed dealers and the Commodity Credit Corporation, plus 2,000 bushels.

(3) No person other than a processor, soybean products manufacturer, seed dealer, country shipper, soybean trucker-merchant, soybean merchandiser, or terminal elevator operator shall purchase or accept delivery of soybeans, or contract to purchase or accept delivery thereof, in any quantity which will cause his inventory of soybeans, plus all quantities thereof with respect to which he has a contract to purchase, to exceed his delivery requirements under existing contracts with the Commodity Credit Corporation, plus his planting requirements, plus his requirements for sales for human consumption.

This amendment shall become effective at 12:01 a. m., e. s. t., June 10, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 9, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violations, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 10th day of June 1946.

[SEAL] CLINTON P. ANDERSON,  
Secretary.

[F. R. Doc. 46-10008; Filed, June 12, 1946; 1:31 p. m.]



[WFO 66, Amdt. 16]

## PART 1468—GRAINS

## GRAIN AND GRAIN PRODUCTS

War Food Order No. 66, as amended (11 F.R. 2215, 5105), is hereby further amended as follows:

1. By deleting the provisions of § 1468.2 (a) (3) and inserting, in lieu thereof, the following:

(3) "Grain" means all grain, whether malted or unmalted, including, but not being limited to, barley, wheat, rice, corn, sorghum grains, and soybeans, whether in the form of whole grain, or in the form of flakes, grits (except refined corn grits), or other starch material.

2. By deleting the provisions of § 1468.2 (a) (4) and inserting, in lieu thereof, the following:

(4) "Grain products" means (i) refined corn grits, and (ii) all sugars and syrups derived, in whole or in part, from grain.

3. By deleting the provisions of § 1468.2 (b) (6) and inserting, in lieu thereof, the following:

(6) Of the quantity of malt beverages manufactured by any brewer during any quota period, not more than 96 percent thereof shall contain in excess of 3.2 percent of alcohol by weight.

4. By deleting the provisions of § 1468.2 (b) (7) and inserting, in lieu thereof, the following:

(7) No brewer, unless authorized by the Administrator, shall sell or deliver, in any quota period, malt beverages having an alcoholic content of 3.2 percent, or less, by weight: *Provided*, That any brewer, without authorization from the Administrator, may sell or deliver, in any quota period, any malt beverages having an alcoholic content of 3.2 percent, or less, by weight, in excess of the quantity of malt beverages equal to 4 percent of all malt beverages manufactured by him in the same quota period.

The provisions of this amendment shall become effective as of 12:01 a. m., e. s. t., June 1, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 66, as amended, prior to the effective time of the provisions of this amendment, the provisions of the said War Food Order No. 66, as amended, in effect prior to the effective time of the provisions of this amendment shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087).

Issued this 10th day of June 1946.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-9814; Filed, June 10, 1946;  
12:52 p. m.]

[WFO 144, Amdt. 9]

## PART 1468—GRAIN

## WHEAT AND FLOUR

War Food Order No. 144, as amended (11 F.R. 2501, 3243, 3392, 4289, 4323, 4445, 5644) is hereby further amended to read as follows:

(a) *Definitions*. (1) "Wheat" means any grain which, before the removal of dockage, consists of 50 percent or more of wheat and not more than 10 percent of other grains for which standards have been established under the provisions of the United States Grain Standards Act (7 U.S.C. 71-87) and which, after the removal of dockage, contains not more than 50 percent of broken kernels of grain of any size. The term "wheat" includes whole wheat, ground wheat, cracked wheat, or wheat in any other form, but does not include wheat mill feeds, emmer, spelt, einkorn, Polish wheat, or poulard wheat.

(2) "Flour" means (i) flour from wheat, (ii) farina, or (iii) semolina, as defined in subparagraphs (6), (13), and (15) of section 16 (a) of Revised Maximum Price Regulation No. 296 of the Office of Price Administration, as amended, or as it may be amended or revised from time to time.

(3) "Mixed feed" means any feed manufactured for sale for the feeding of livestock or poultry.

(4) "Excess wheat" means all wheat in the inventory of a merchandiser or country shipper, over and above the quantity needed to make deliveries on export sales supported by export licenses issued by the Office of International Trade, Department of Commerce, or on sales supported by contracts with merchandisers, millers, mixed feed manufacturers, food manufacturers, or feeders.

(5) "Wheat mill feeds" means those by-products usually obtained in the commercial process of flour milling, commonly designated as wheat bran, wheat middlings, wheat shorts, wheat red dog, bran and middlings (mill run wheat feeds), and low grade feed flour.

(6) "Merchandiser" means any person, other than a country shipper or trucker merchant, who buys and sells wheat on his own account.

(7) "Trucker merchant" means any person who purchases wheat from producers and, without warehousing, delivers such wheat to a buyer by truck.

(8) "Country shipper" means any person who, at places other than terminal markets, is engaged in the business of purchasing wheat directly from farmers and storing and selling the same.

(9) "Producer" means any person who, at the time of harvest, owns or has a beneficial interest in wheat. The term "producer" includes but is not limited to a landlord, tenant, sharecropper, owner or operator of the land from which the wheat was harvested, or assignee or mortgagee of the crop.

(10) "Feeder" means any person who feeds grain or mixed feed to livestock or poultry.

(11) "Grain elevator" means any elevation facility for receiving, loading or

unloading grain, or any warehouse or other type of storage structure, or any car loading or barge loading facility, which receives grain for storage or for resale or other disposition.

(12) "Distributor" means any person, including a blender, engaged in the business of buying and selling flour on his own account, except retail dealers who customarily handle less than one carload per month.

(13) "Miller" means any person engaged in the commercial manufacture of flour.

(14) "Mixed feed manufacturer" means any person engaged in the commercial manufacture of mixed feed.

(15) "Food manufacturer" means any person, other than a brewer or distiller, who uses wheat or flour in the commercial manufacture of edible products for human consumption, and includes but is not limited to, bakers, breakfast food manufacturers, and manufacturers of spaghetti, macaroni, and similar products, excluding, however, any food manufacturer as defined above who customarily uses less than one carload of wheat or flour, as the case may be, per month.

(16) "Inventory" means the total quantity of wheat or flour owned by any person, whether in store or in transit.

(17) "Director" means the Director, Grain Branch, Production and Marketing Administration, serving the Wheat Loan Program area in which the offering person is located. The various Wheat Loan Program areas and the addresses of the Directors serving each area are as follows:

## Address of Director and Area

208 South LaSalle St., Chicago 4, Ill.; Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Maine, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia.

Dwight Bldg., 1004 Baltimore Ave., Kansas City 13, Mo.; Alabama, Arkansas, Colorado, Georgia, Florida, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, South Carolina, Texas, Wyoming.

McKnight Bldg., Minneapolis 1, Minn.; Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

304 Artisans Bldg., Portland 5, Oreg.; Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

(18) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not.

(19) "Administrator" means the Administrator, Production and Marketing Administration, United States Department of Agriculture, or any employee of the United States Department of Agriculture to whom the Administrator has delegated, or may hereafter delegate, any or all of the authority vested in him by this order.

## USE OF WHEAT

(b) *Use of wheat by mixed feed manufacturers*. (1) No mixed feed manufacturer shall, during any calendar month, use wheat in the manufacture of mixed feed, including grain base mixes, in excess of 60 percent of the



average monthly quantity of wheat so used by such manufacturer during the period from December 1, 1945, to January 31, 1946, *Provided, however*, That any mixed feed manufacturer located in the States of Colorado, Idaho, Nevada, Oregon, Utah or Washington, or in that part of the State of Montana which is on or south of the main line of the Chicago-Milwaukee-St. Paul and Pacific Railroad or west of the continental divide may, to the extent that grains other than wheat are not available, use wheat in the manufacture of mixed feed in a quantity sufficient to bring his total monthly use of grain up to 80 percent of the quantity of all grains so used by such manufacturer during the corresponding calendar month of 1945.

(2) Wheat sold by a mixed feed manufacturer, wherever located, for use as feed shall be considered as wheat used in the manufacture of mixed feed within the meaning of this paragraph (b).

(c) *Use of wheat in grain mixtures.* No person shall use wheat in any form in making any mixture of grains for sale as an ingredient in the manufacture of mixed feed.

(d) *Use of wheat by millers.* Except for export purposes or for delivery to the Commodity Credit Corporation, no miller shall, during any calendar month, produce flour in excess of the following percentages of the average monthly quantity of flour distributed by such miller for domestic use or consumption during 1945:

Month:	Percentage
June 1946.....	75
July 1946 and following months.....	85

(e) *Extraction rate.* (1) Except as hereinafter provided, no miller shall produce any flour which consists of less than 80 percent by weight of the cleaned wheat from which such flour is produced.

(2) Flour sold and covered by export license for export to any port located between the Tropic of Cancer and the Tropic of Capricorn may consist of less than 80 percent by weight of the cleaned wheat from which such flour was produced, but shall not consist of less than 72 percent of such weight, except that no minimum extraction rate limit shall apply to flour sold for export to the West Coast of Africa.

(3) Any miller may produce farina subject to the following requirements:

(i) The quantity of farina produced shall not exceed five percent by weight of the straight run of flour from which such farina is separated;

(ii) The weight of such farina, when added to the weight of the remainder of the flour from which such farina was separated, shall equal not less than 80 percent of the weight of the cleaned wheat from which such products were produced.

(f) *Use of wheat by food manufacturers.* Except for export purposes or for delivery to the Commodity Credit Corporation, no food manufacturer shall, during any calendar month, use wheat in the manufacture of edible products for human consumption in excess of the following percentages of the average monthly quantity of wheat used by such manufacturer in the manufacture of

edible products for domestic human consumption during 1945.

Month:	Percentage
June 1946.....	75
July 1946 and following months.....	85

#### WHEAT SET ASIDE

(g) *Wheat set aside.* (1) "Set aside type wheat," as used in this paragraph (g) means wheat grading number 3 or better, number 4 or 5 on test weight only, or grading tough, light garlicky, or garlicky, produced in the following States and counties:

(i) All counties in the following States:

Idaho.	Minnesota.	Ohio.
Illinois.	Missouri.	Oklahoma.
Indiana.	Montana.	Pennsylvania.
Iowa.	Nebraska.	South Dakota.
Kansas.	New York.	Texas.
Michigan.	North Dakota.	Wyoming.

(ii) The following counties in the State of Colorado: Adams, Arapahoe, Baca, Bent, Boulder, Cheyenne, Clear Creek, Crowley, Custer, Douglas, Elbert, El Paso, Fremont, Gilpin, Huerfano, Jefferson, Kiowa, Kit Carson, Larimer, Las Animas, Lincoln, Logan, Morgan, Otero, Park, Phillips, Prowers, Pueblo, Sedgwick, Teller, Washington, Weld, and Yuma.

(iii) The following counties in the State of Maryland: Allegany, Anne Arundel, Baltimore, Calvert, Carroll, Cecil, Charles, Frederick, Garrett, Harford, Howard, Montgomery, Prince Georges, Saint Marys and Washington.

(iv) The following counties in the State of New Mexico: Chaves, Curry, Eddy, De Baca, Guadalupe, Lea, Lincoln, Otero, Quay, and Roosevelt.

(v) The following counties in the State of Oregon: Baker, Crook, Gilliam, Grant, Harney, Jefferson, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco and Wheeler.

(vi) The following counties in the State of Utah: Box Elder, Cache, and Weber.

(vii) The following counties in the State of Washington: Adams, Asotin, Benton, Chelan, Clark, Columbia, Cowlitz, Douglas, Ferry, Franklin, Garfield, Grant, King, Kittitas, Klickitat, Lewis, Lincoln, Okanogan, Pend Oreille, Pierce, Skagit, Skamania, Snohomish, Spokane, Stevens, Thurston, Walla Walla, Whitman and Yakima.

(2) No producer shall deliver set aside type wheat to a grain elevator for storage or any other purpose, unless, within 15 days from the time of such delivery, not less than one-half of all such wheat shall be sold to such elevator, or to another elevator, or to a merchandiser, miller or other processor: *Provided, however*, That this provision shall not apply to:

(i) Wheat delivered for the account of the Commodity Credit Corporation;

(ii) Wheat delivered to a grain elevator owned by a cooperative organization, the operations of which are confined to the storage of wheat for members only.

(3) No trucker merchant shall deliver set aside type wheat to a grain elevator for storage or for any other purpose unless, within 15 days from the time of such delivery, such wheat is sold to such elevator or to another elevator, or to a merchandiser, miller or other processor.

(4) No merchandiser, miller or other processor, and no owner or operator of a grain elevator, shall purchase or accept delivery of wheat unless he shall:

(i) Set aside, reserve and hold for delivery to the Commodity Credit Corporation not less than one-half of all set aside type wheat purchased by him from producers or trucker merchants;

(ii) Deliver to the Commodity Credit Corporation, in the form of either wheat or flour, all wheat set aside, reserved and held under paragraph (g) (4) (i) hereof, such delivery to be made as directed by the Commodity Credit Corporation.

#### DELIVERIES AND USE OF WHEAT MILL FEEDS AND FLOUR

(h) *Prohibited deliveries of wheat mill feeds and flour.* No miller shall sell or deliver wheat mill feeds to any person except feeders and persons regularly engaged in the business of manufacturing or distributing feed, nor flour to any person other than one regularly engaged in the business of distributing flour or processing the same into other products, or for home consumption by the recipient thereof.

(i) *Use of flour in mixed feed.* No person shall use flour in the manufacture of mixed feed unless such flour is unfit for human consumption.

#### INVENTORIES

(j) *Distributors' flour inventories.* No distributor shall, except for immediate resale for export, accept delivery of flour if, after such acceptance, his inventory of flour will exceed a 30-day supply based upon his average monthly deliveries of flour during the six preceding calendar months.

(k) *Food manufacturers' flour inventories.* No food manufacturer shall accept delivery of flour in any quantity if, after such acceptance, his inventory of flour will exceed his average monthly use of flour during 1945.

(l) *Exemption for carload lots.* Notwithstanding any other provision of this order, any person whose inventory of flour does not exceed the quantity permissible under the applicable provision of this order, may accept delivery of one carload lot.

#### OFFERS OF WHEAT TO COMMODITY CREDIT CORPORATION

(m) *Offers of excess wheat.* All excess wheat which a merchandiser or country shipper has on hand as of the close of market each week shall be offered to the Director before noon of the following Monday for sale and delivery to the Commodity Credit Corporation. A country shipper offering such wheat may indicate the merchandiser through whom he desires the transaction to be handled. All excess wheat so offered which has not been accepted within two days from the time of such offer shall be considered as having been refused by the Commodity Credit Corporation but shall remain subject to all other provisions of this order in the same manner as if such offer had not been made.

#### GENERAL PROVISIONS

(n) *Records and reports.* (1) All certificates executed under this order as heretofore in effect shall be retained for at least two years and shall, upon request, be submitted to the Administrator for examination. All statements contained in such certificates shall be deemed representations to an agency of the United States. No person shall be entitled to rely upon any such certificate if he knows or has reasonable cause to believe it to be false.



(2) The Administrator shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order, subject to approval by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(3) Every person subject to this order shall, for at least two years or for such period of time as the Administrator may designate, maintain an accurate record of his milling of wheat, production of flour or mixed feed, and his transactions in these commodities.

(c) *Transfers between branches or departments.* The transfer of wheat or flour between units, departments, branches, plants, or companies owned, controlled, or directed by the same person but engaged in separate activities as merchandisers, trucker merchants, country shippers, millers, distributors, food manufacturers, or mixed feed manufacturers, shall constitute delivery and acceptance of delivery within the meaning of this order.

(p) *Existing contracts.* The restrictions of this order shall be observed without regard to existing contracts or any rights accrued or payments made thereunder.

(q) *Audits and inspections.* The Administrator shall be entitled to make such audits or inspections of the books, records and other writings, premises, or stocks of wheat and flour of any person, and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(r) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Administrator. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Administrator. After said review, the Administrator may take such action as he deems appropriate, which action shall be final.

(s) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, delivering, or using wheat or flour. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(t) *Delegation of authority.* The administration of this order and the powers vested in the Secretary of Agriculture insofar as such powers relate to the administration of this order, are hereby delegated to the Administrator. The Ad-

ministrator is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(u) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Order Administrator, War Food Order No. 144, Grain Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

(v) *Territorial scope.* This order shall apply within the 48 States and the District of Columbia.

(w) *Effective date.* This amendment shall become effective at 12:01 a. m., e. s. t., June 19, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 144, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9577, 10 F.R. 8087)

Issued this 18th day of June 1946.

[SEAL] CLINTON P. ANDERSON,  
Secretary.

[F. R. Doc. 46-10427; Filed, June 18, 1946;  
11:18 a. m.]

## TITLE 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs

[T. D. 51473]

#### PART 52—REGULATIONS UNDER TRADING WITH THE ENEMY ACT

##### RESTRICTED IMPORTATIONS; ART OBJECTS

JUNE 13, 1946.

T. D. 51072 of June 8, 1944 (19 CFR, 1944 Supp., 52.12, 52.13, 52.14), which prescribed regulations under the authority of sections 3 (a) and 5 (b) of the Trading with the Enemy Act, as amended, with respect to the release of art objects from customs custody, is hereby revoked.

[SEAL] E. H. FOLEY, Jr.,  
Acting Secretary of the Treasury.

[F. R. Doc. 46-10355; Filed, June 17, 1946;  
1:29 p. m.]

## TITLE 24—HOUSING CREDIT

### Chapter VI—Federal Public Housing Authority, National Housing Agency

#### PART 601—URBAN LOW-RENT HOUSING AND SLUM CLEARANCE

##### MANAGEMENT POLICY, MANAGEMENT PROGRAMS, AND MANUAL OF OPERATIONS

JUNE 15, 1946.

Section 601.401 is amended to read as follows:

§ 601.401 *Statement of Management Policy, Management Programs, and Manual of Operations.* The local authority shall formalize its determinations on management policy and procedure and submit them to the FPHA for review and approval. The documents in which the local authority will present its determinations are the Statement of Management Policy applicable to all its low-rent housing and Management Programs applicable to the respective developments.

(a) *Statement of Management Policy.* The Statement of Management Policy comprises the underlying major policies adopted by the local authority for the administration of all developments undertaken by it with the financial aid of the FPHA. The Statement of Management Policy forms a part of each Development Program; it shall be submitted and approved with the first Development Program of a local authority as provided in section 204; and, in its most recently revised form, shall be incorporated by reference in all subsequent Development Programs.

(b) *Management program.* A Management Program is the statement of management determinations for a specific development. It includes the specific rents and dwelling utility allowances included therein, income limits, occupancy standards, and estimates of average annual income and expense and of required Federal annual contributions and other determinations which shall govern the administration of the development. The Management Program forms a part of the Development Program and shall be submitted and approved as provided in section 204.

(c) *Required revisions.* Within 30 days after the award of the main construction contract, the local authority shall submit such revision of the Management Program (and particularly of the estimate of average annual income and expense) as is necessitated by any changes made in the Development Program up to that date.

(d) *Subsequent revisions and additions.* If further changes become necessary in any of the policies or determinations incorporated in the Statement of Management Policy or in Management Programs, such changes shall be made through a formal revision of the appropriate documents, and shall be approved by the FPHA, and adopted by the local authority. These documents, as revised, shall at all times reflect the current policy in respect to all the low-rent housing of the local authority, and the specific determinations in respect to particular developments.

(e) *Manual of Operations.* Not later than 30 days after the award of the main construction contract, the local authority shall establish, adopt, and file with the FPHA a proposed Manual of Operations for each development. The Manual shall contain (1) specific recording, reporting, and other administrative procedures, (2) procedures, specimen forms and instructions for tenant selection and reexamination and proposed form of dwelling lease or other agreement, (3) procedures and standards for maintenance and operation of the physical plant, and (4) personnel and pro-



curement policies. Such policies, procedures, standards, forms, and instructions shall be in accordance with the requirements set forth hereinafter and such other standards established by the FPFA.

(U. S. Housing Act of 1937, as amended (Pub. Law 412, 75th Cong.))

PHILIP M. KLUTZNICK,  
Commissioner.

[F. R. Doc. 46-10397; Filed, June 18, 1946;  
10:24 a. m.]

PART 601—URBAN LOW-RENT HOUSING  
AND SLUM CLEARANCE

PREVIOUS SUBSTANDARD HOUSING CONDITIONS

JUNE 15, 1946.

Section 601.404 (c) is amended to read as follows:

§ 601.404 *Conditions for tenant admission.* \* \* \*

(c) *Previous substandard housing condition.* The tenant shall at the time of admission have been living in an unsafe, insanitary, or over-crowded dwelling, as defined by the local authority in its Statement of Management Policy, or have been displaced by a slum-clearance project or by off-site elimination in compliance with the equivalent elimination agreement.

The provisions of this paragraph shall not be applicable in the case of the family of any serviceman or the family of any veteran who has been discharged (other than dishonorably) from, or to the family of any serviceman who died in, the armed forces of the United States, where application for admission is made not later than July 1, 1950. The term "veterans" shall mean persons who have served in the military or naval forces of the United States during World War II. The term "servicemen" shall mean persons in the military or naval forces of the United States who served therein during World War II.

(U. S. Housing Act of 1937, as amended (Pub. Law 412, 75th Cong.))

PHILIP M. KLUTZNICK,  
Commissioner.

[F. R. Doc. 46-10398; Filed, June 18, 1946;  
10:24 a. m.]

PART 601—URBAN LOW-RENT HOUSING  
AND SLUM CLEARANCE

TENANT SELECTION

JUNE 15, 1946.

Section 601.405 is amended to read as follows:

§ 601.405 *Tenant selection.* The local authority shall select tenants on a uniform and objective basis, and in accordance with an established procedure which shall conform to the requirements of this section.

(a) *Preference.* Among eligible applicants within each income grade, preference shall be given first to families of servicemen and to families of veterans who have been discharged (other than dishonorably) from, and to families of

servicemen who died in, the armed forces of the United States, where application for admission is made not later than July 1, 1950, and second, to families who have been displaced from the site of a slum clearance project or displaced by off-site elimination in compliance with the equivalent elimination agreement. Within each of the above categories of families and as among other eligible applicants, preference shall be given to those in the greatest need giving consideration to the degree of substandard housing conditions (or lack of housing in the case of families for whom the substandard housing requirements do not apply) and such other factors of need as the local authority shall determine.

(b) *Evidence of eligibility.* The local authority shall obtain a written statement from each family applying for admission setting forth the facts which relate to its eligibility. The local authority shall verify and certify to the accuracy of these statements for each family admitted.

(c) *Non-discrimination.* There shall be no discrimination in the selection of tenants because of religious, political, or other affiliations.

(d) *Lease required.* A responsible member of the tenant-family shall execute a written lease or other enforceable agreement containing, among other things, an agreement to furnish the local authority with information regarding its eligibility for continued occupancy and an agreement to vacate the dwelling if the tenant-family becomes ineligible for continued occupancy. Such lease or other agreement shall establish a sound landlord and tenant relationship with equitable standards of protection for the tenant and the local authority. Accordingly, such lease shall not contain any provision absolving the local authority from liability for its own negligence nor any provision under which the tenant agrees to confess judgment or to waive any other legal rights of the tenant.

(U. S. Housing Act of 1937, as amended (Pub. Law 412, 75th Cong.))

PHILIP M. KLUTZNICK,  
Commissioner.

[F. R. Doc. 46-10399; Filed, June 18, 1946;  
10:24 a. m.]

PART 601—URBAN LOW-RENT HOUSING  
AND SLUM CLEARANCE

ESTIMATE OF AVERAGE ANNUAL INCOME AND  
EXPENSE

JUNE 15, 1946.

Section 601.408 is amended to read as follows:

§ 601.408 *Estimate of Average Annual Income and Expense.* The Estimate of Average Annual Income and Expense is a forecast of the average yearly income and expense of the development over the life of the Contract for Financial Aid. It is designed to provide a long-term financial prospectus of the development, and to form the basis upon which reserves are established.

An Estimate of Average Annual Income and Expense for each development shall

be included in the Management Program, and a revised Estimate, if necessary, shall be prepared within 30 days after the award of the main construction contract (see section 401 (b) and (c)). The Average Annual Estimate shall be based on the average income and expense anticipated during the first 10 years after the end of the initial operating period. It shall be supplemented by an estimate of the additional average annual expense for repairs, maintenance, and replacements anticipated after the first 10 years. No Contract for Financial Aid shall be approved if the Federal annual contributions estimated to be required for the project during the first 10 years exceed the maximum Federal annual contribution less the estimated additional average annual expense for repairs, maintenance, and replacements required for the developments comprising the project after the first 10 years.

The Estimate of Average Annual Income and Expense will be based upon the estimating factors developed by the FPFA with such adjustments as are required to adapt the factors to local conditions and operating plans. The local authority shall submit to the FPFA for review and approval a revised Estimate of Average Annual Income and Expense if a permanent change in the probable cost of project operation has occurred as a result of permanent changes in cost levels, financing, operating improvements, or other circumstances. Temporary changes in cost levels, however, do not justify revised Average Annual Estimates since these estimates are essentially long-term financial forecasts.

(U. S. Housing Act of 1937, as amended (Public Law 412, 75th Cong.))

PHILIP M. KLUTZNICK,  
Commissioner.

[F. R. Doc. 46-10400; Filed, June 18, 1946;  
10:24 a. m.]

PART 601—URBAN LOW-RENT HOUSING  
AND SLUM CLEARANCE

DOCUMENTS, RECORDS, AND REPORTS

JUNE 15, 1946.

Section 601.501 is amended to read as follows:

§ 601.501 *Documents, records, and reports.* The Local Authority shall maintain in accordance with standards established by FPFA basic records and up-to-date operating records and reports documenting the development and the administration of each development and project. The local authority shall submit such financial, operating, and statistical reports, records, statements, and documents on a uniform and consistent basis as may be required, periodically or on a one-time basis, by the FPFA.

(U. S. Housing Act of 1937, as amended (Public Law 412, 75th Cong.))

PHILIP M. KLUTZNICK,  
Commissioner.

[F. R. Doc. 46-10401; Filed, June 18, 1946;  
10:24 a. m.]



**PART 601—URBAN LOW-RENT HOUSING AND  
SLUM CLEARANCE**

**LIABILITY FOR NEGLIGENCE**

JUNE 15, 1946.

Sections 601.510, 601.511, and 601.512 are hereby renumbered §§ 601.511, 601.512, and 601.513, respectively, with the following new section inserted in the Requirements and numbered § 601.510.

§ 601.510 *Liability for negligence.* The local authority shall not plead, nor permit any insurance company with which it is insured to plead, governmental immunity in any suit brought against it for damages arising out of the alleged negligence of such local authority.

(U. S. Housing Act of 1937, as amended (Public Law 412, 75th Cong.))

PHILIP M. KLUTZNIK,  
Commissioner.

[F. R. Doc. 46-10402; Filed, June 18, 1946;  
10:24 a.m.]

**TITLE 26—INTERNAL REVENUE**

**Chapter I—Bureau of Internal Revenue**

**Subchapter A—Income and Excess Profits Taxes**

**Subchapter D—Employment Taxes**

[T. D. 5522]

**PART 29—INCOME TAX; TAXABLE YEARS  
BEGINNING AFTER DECEMBER 31, 1941**

**PART 405—COLLECTION OF INCOME TAX AT  
SOURCE ON WAGES**

**MISCELLANEOUS AMENDMENTS**

In order to conform Regulations 111 (26 C.F.R., Cum. Supp., Part 29) to sections 1, 4 (a), (b), and (i), 8, 9, and 10 of the International Organizations Immunities Act (Title I, Public Law 291, 79th Congress), approved December 29, 1945, and Regulations 116 (26 CFR, 1944 Supp., Part 405) to sections 1, 4 (e) and (i), and 10 of such International Organizations Immunities Act, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.116-1 the following:

SEC. 4. *International Organizations Immunities Act.* (Title I, Public Law 291, 79th Congress, approved December 29, 1945.)

The Internal Revenue Code is hereby amended as follows:

(a) Effective with respect to taxable years beginning after December 31, 1943, section 116 (c), relating to the exclusion from gross income of income of foreign governments, is amended to read as follows:

(c) *Income of foreign governments and of international organizations.* The income of foreign governments or international organizations received from investments in the United States in stocks, bonds, or other domestic securities, owned by such foreign governments or by international organizations, or from interest on deposits in banks in the United States of moneys belonging to such foreign governments or international organizations, or from any other source within the United States.

(b) Effective with respect to taxable years beginning after December 31, 1943, section 116 (h) (1), relating to the exclusion from gross income of amounts paid employees of

foreign governments, is amended to read as follows:

(1) *Rule for exclusion.* Wages, fees, or salary of any employee of a foreign government or of an international organization or of the Commonwealth of the Philippines (including a consular or other officer, or a nondiplomatic representative), received as compensation for official services to such government, international organization, or such Commonwealth:

(A) If such employee is not a citizen of the United States, or is a citizen of the Commonwealth of the Philippines (whether or not a citizen of the United States); and

(B) If, in the case of an employee of a foreign government or of the Commonwealth of the Philippines, the services are of a character similar to those performed by employees of the Government of the United States in foreign countries or in the Commonwealth of the Philippines, as the case may be; and

(C) If, in the case of an employee of a foreign government or the Commonwealth of the Philippines, the foreign government or the Commonwealth grants an equivalent exemption to employees of the Government of the United States performing similar services in such foreign country or such Commonwealth, as the case may be.

PAR. 2. Section 29.116-2, as amended by Treasury Decision 5326, approved January 8, 1944, is further amended as follows:

(A) By striking out the heading of such section and inserting in lieu thereof the following:

§ 29.116-2 *Income of foreign governments, international organizations, and their employees.*—(a) *Foreign governments and their employees.* \* \* \*

(B) By inserting at the end of such section the following:

(b) *International organizations and their employees.* Subject to the provisions of section 1 of the International Organizations Immunities Act (the provisions of which section are hereinafter set forth), the income of an international organization (as defined in section 3797 (a) (18)) received from investments in the United States in stocks, bonds, or other domestic securities, owned by such international organization, or from interest on deposits in banks in the United States of moneys belonging to such international organization, or from any other source within the United States, is exempt from Federal income tax. An organization designated by the President through appropriate Executive order as entitled to enjoy the privileges, exemptions, and immunities provided in the International Organizations Immunities Act may enjoy the benefits of the exemption with respect to income of the prescribed character received by such organization prior to the date of the issuance of such Executive order, if (1) the Executive order does not provide otherwise and (2) the organization is a public international organization in which the United States participates, pursuant to a treaty or under the authority of an Act of Congress authorizing such participation or making an appropriation for such participation, at the time such income is received. The exemption is effective only with respect to taxable years beginning after December 31, 1943.

Subject to the provisions of sections 1, 8, and 9 of the International Organizations Immunities Act, wages, fees, or salary of any officer or employee of an international organization (as defined in section 3797 (a) (18)) received as compensation for official services to such international organizations is exempt from Federal income tax, if such officer or employee (1) is not a citizen of the United States or (2) is a citizen of the Commonwealth of the Philippines (whether or not a citizen of the United States). An individual of the prescribed class who receives wages, fees, or salary as compensation for official services to an organization designated by the President through appropriate Executive order as entitled to enjoy the privileges, exemptions, and immunities provided in the International Organizations Immunities Act and who has been duly notified to and accepted by the Secretary of State as an officer or employee of such organization, or who has been designated by the Secretary of State, prior to formal notification and acceptance, as a prospective officer or employee of such organization, may enjoy the benefits of the exemption with respect to compensation of the prescribed character earned by such individual either prior to the date of the issuance of such Executive order, or prior to the date of such acceptance or designation by the Secretary of State, for official services to such organization, if (1) the Executive order does not provide otherwise, (2) the organization is a public international organization in which the United States participates, pursuant to a treaty or under the authority of an Act of Congress authorizing such participation or making an appropriation for such participation, at the time such compensation is earned, and (3) the individual is an officer or employee of such organization at such time. The compensation of citizens of the United States (other than citizens of the Commonwealth of the Philippines who are officers or employees of an international organization) is not exempt from income tax. (But see section 116 (a).) The exemption with respect to wages, fees, or salary, referred to above, is effective only with respect to taxable years beginning after December 31, 1943.

Sections 1, 8, and 9 of the International Organizations Immunities Act provide as follows:

SECTION 1. For the purposes of this title [International Organizations Immunities Act], the term "international organization" means a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation, and which shall have been designated by the President through appropriate Executive order as being entitled to enjoy the privileges, exemptions, and immunities herein provided. The President shall be authorized, in the light of the functions performed by any such international organization, by appropriate Executive order to withhold or withdraw from any such organization or its officers or employees any of the privileges, exemptions, and immunities provided for in this title (including the amendments made by this title) or to condition or limit the enjoyment by any such organization or its officers or employees of any such privi-



lege, exemption, or immunity. The President shall be authorized, if in his judgment such action should be justified by reason of the abuse by an international organization or its officers and employees of the privileges, exemptions, and immunities herein provided or for any other reason, at any time to revoke the designation of any international organization under this section, whereupon the international organization in question shall cease to be classed as an international organization for the purposes of this title.

SEC. 8. (a) No person shall be entitled to the benefits of this title [International Organizations Immunities Act] unless he (1) shall have been duly notified to and accepted by the Secretary of State as a \* \* \* officer, or employee; or (2) shall have been designated by the Secretary of State, prior to formal notification and acceptance, as a prospective \* \* \* officer, or employee; \* \* \*

(b) Should the Secretary of State determine that the continued presence in the United States of any person entitled to the benefits of this title is not desirable, he shall so inform the \* \* \* international organization concerned \* \* \*, and after such person shall have had a reasonable length of time, to be determined by the Secretary of State, to depart from the United States, he shall cease to be entitled to such benefits.

(c) No person shall, by reason of the provisions of this title, be considered as receiving diplomatic status or as receiving any of the privileges incident thereto other than such as are specifically set forth herein.

SEC. 9. The privileges, exemptions, and immunities of international organizations and of their officers and employees \* \* \*, provided for in this title (International Organizations Immunities Act), shall be granted notwithstanding the fact that the similar privileges, exemptions, and immunities granted to a foreign government, its officers, or employees, may be conditioned upon the existence of reciprocity by that foreign government: *Provided*, That nothing contained in this title shall be construed as precluding the Secretary of State from withdrawing the privileges, exemptions, and immunities herein provided from persons who are nationals of any foreign country on the ground that such country is failing to accord corresponding privileges, exemptions, and immunities to citizens of the United States.

PAR. 3. There is inserted immediately preceding § 29.3797-1 the following:

SEC. 4. INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT. (Title I, Public Law 291, 79th Congress, approved December 29, 1945)

The Internal Revenue Code is hereby amended as follows:

(1) Section 3797 (a), relating to definitions, is amended by adding at the end thereof a new paragraph as follows:

(18) *International organization*. The term "international organization" means a public international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act.

PAR. 4. There is inserted immediately preceding the caption "Section 1426 (g) and (h) of the Internal Revenue Code" as set forth preceding § 405.101 the following:

SECTION 4 (e) OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT (TITLE I, PUBLIC LAW 291, 79TH CONGRESS, APPROVED DECEMBER 29, 1945)

(The Internal Revenue Code is hereby amended as follows:)

(e) Section 1621 (a) (5), relating to the definition of "wages" for the purpose of collection of income tax at the source, is amended by inserting after the words "foreign government" the words "or an international organization".

PAR. 5. There is inserted immediately preceding § 405.101 the following:

SECTION 4 (1) OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT (TITLE I, PUBLIC LAW 291, 79TH CONGRESS)

[The Internal Revenue Code is hereby amended as follows:]

(1) Section 3797 (a), relating to definitions, is amended by adding at the end thereof a new paragraph as follows:

(18) *International organization*. The term "international organization" means a public international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act.

SECTION 1 OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT (TITLE I, PUBLIC LAW 291, 79TH CONGRESS)

For the purposes of this title (International Organizations Immunities Act), the term "international organization" means a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation, and which shall have been designated by the President through appropriate Executive order as being entitled to enjoy the privileges, exemptions, and immunities herein provided. The President shall be authorized, in the light of the functions performed by any such international organization, by appropriate Executive order to withhold or withdraw from any such organization or its officers or employees any of the privileges, exemptions, and immunities provided for in this title (including the amendments made by this title) or to condition or limit the enjoyment by any such organization or its officers or employees of any such privilege, exemption, or immunity. The President shall be authorized, if in his judgment such action should be justified by reason of the abuse by an international organization or its officers and employees of the privileges, exemptions, and immunities herein provided or for any other reason, at any time to revoke the designation of any international organization under this section, whereupon the international organization in question shall cease to be classed as an international organization for the purposes of this title.

PAR. 6. Section 405.102 (f) is amended as follows: (A) By striking out the heading thereof and inserting in lieu thereof the following:

(f) *Compensation paid by foreign government or international organization—*  
(1) *Services for foreign government.*

(B) By inserting at the end thereof the following:

(2) *Services for international organization*. Subject to the provisions of section 1 of the International Organizations Immunities Act, remuneration paid for services performed within or without the United States by an employee for an international organization as defined in section 3797 (a) (18) is excepted from the term "wages". The term "employee" as used in the preceding sentence includes not only an employee who is a citizen or resident of the United States

but also an employee who is a nonresident alien individual. The term "employee" also includes an officer. An organization designated by the President through appropriate Executive order as entitled to enjoy the privileges, exemptions, and immunities provided in the International Organizations Immunities Act may enjoy the benefits of the exclusion from wages with respect to remuneration paid for services performed for such organization prior to the date of the issuance of such Executive order, if (i) the Executive order does not provide otherwise and (ii) the organization is a public international organization in which the United States participates, pursuant to a treaty or under the authority of an Act of Congress authorizing such participation or making an appropriation for such participation, at the time such services are performed. The exclusion from wages is effective only with respect to remuneration of the prescribed character paid on or after December 29, 1945.

(Sec. 62 and 3791 of the Internal Revenue Code (53 Stat. 32, 467; 26 U.S.C., 1940 ed., 62, 3791), section 1621 (a) of the Internal Revenue Code (57 Stat. 126; 26 U.S.C., Supp. IV, 1621 (a)), and sections 1, 4 (a), (b), (c), and (d), 8, and 9 of the International Organizations Immunities Act (Title I, Public Law 291, 79th Congress), approved December 29, 1945)

[SEAL] JOSEPH D. NUNAN, Jr.,  
*Commissioner of Internal Revenue.*

Approved: June 14, 1946.

JOSEPH J. O'CONNELL, Jr.,  
*Acting Secretary of the Treasury.*

[F. R. Doc. 46-10359; Filed, June 17, 1946;  
1:29 p. m.]

#### Subchapter C—Miscellaneous Excise Taxes

[T. D. 5521]

#### PART 130—TAXES ON SAFE DEPOSIT BOXES AND ON CERTAIN TRANSPORTATION AND COMMUNICATIONS SERVICES

#### EXEMPTIONS UNDER INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT

In order to conform Regulations 42 (1942 edition) (26 CFR., Com. Supp., Part 130), relating to the taxes on safe deposit boxes, transportation of oil by pipe line, telephone, telegraph, radio and cable messages and services, and transportation of persons under the provisions of the Internal Revenue Code, to section 1 and section 4 (f), (g) and (i) of the International Organizations Immunities Act (Title I, Public Law 291, 79th Congress), approved December 29, 1945, such regulations are hereby amended as follows:

PARAGRAPH 1. Immediately preceding § 130.1 there is inserted the following:

SEC. 4. INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT. (Title I, Public Law 291, 79th Congress, approved December 29, 1945)

The Internal Revenue Code is hereby amended as follows:

(1) Section 3797 (a), relating to definitions, is amended by adding at the end thereof a new paragraph as follows:



(18) *International organization.* The term "international organization" means a public international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act.

SECTION 1. INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT. (Title I, Public Law 291, 79th Congress, Approved December 29, 1945)

For the purposes of this title, the term "international organization" means a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation, and which shall have been designated by the President through appropriate Executive order as being entitled to enjoy the privileges, exemptions, and immunities herein provided. The President shall be authorized, in the light of the functions performed by any such international organization, by appropriate Executive order to withhold or withdraw from any such organization or its officers or employees any of the privileges, exemptions, and immunities provided for in this title (including the amendments made by this title) or to condition or limit the enjoyment by any such organization or its officers or employees of any such privilege, exemption, or immunity. The President shall be authorized, if in his judgment such action should be justified by reason of the abuse by an international organization or its officers and employees of the privileges, exemptions, and immunities herein provided or for any other reason, at any time to revoke the designation of any international organization under this section, whereupon the international organization in question shall cease to be classed as an international organization for the purposes of this title.

PAR. 2. Section 130.1, as amended by Treasury Decision 5347, approved March 15, 1944, is further amended by adding at the end thereof the following:

(d) *International organization.* The term "international organization", when used in relation to exemption from a particular tax, means any public international organization in which the United States participates pursuant to any treaty, or under authority of an Act of Congress authorizing such participation or making an appropriation therefor, and which has been designated by the President through an Executive order or orders as being entitled to enjoy the privileges, exemptions and immunities provided by the International Organizations Immunities Act, or part thereof including exemption from the tax, and the designation of which has not been revoked by the President, or the privileges, exemptions and immunities of which, or part thereof, including exemption from the tax, have not been withdrawn by the President by appropriate Executive order.

PAR. 3. Immediately preceding § 130.44 there is inserted the following:

SEC. 4. (Public Law 291, 79th Congress.)  
The Internal Revenue Code is hereby amended as follows:

(f) Section 3466 (a), relating to exemption from communications taxes is amended by inserting immediately after the words "the District of Columbia" a comma and the words "or an international organization".

PAR. 4. Section 130.44, as amended by Treasury Decision 5347, is further amended as follows:

(A) By inserting immediately following the third paragraph thereof a new paragraph as follows:

By virtue of the amendments of the Internal Revenue Code made by, and provisions of, Public Law 291, 79th Congress (International Organizations Immunities Act), approved December 29, 1945, the taxes imposed by section 3465, as amended, do not apply to amounts paid for services or facilities furnished to an international organization. (See § 130.1 (d).) When such an organization has been designated by the President through appropriate Executive order as entitled to enjoy the privileges, exemptions, and immunities conferred by the Act, or part thereof including exemption from the tax, the exemption applies to amounts so paid on and after December 29, 1945, unless the President otherwise provides. The exemption is subject to withdrawal or revocation by the President. In case of withdrawal or revocation, unless otherwise provided by the President, the exemption is inapplicable to payments on or after the date of issuance of the order of withdrawal or the date of revocation.

(B) By adding to the parenthetical matter "State, etc., Government" indicating the manner of execution of the exemption certificate, wherever such matter appears, a comma, and the words "or International Organization, etc.".

PAR. 5. Immediately preceding § 130.61 there is inserted the following:

SEC. 4. (Public Law 291, 79th Congress.)  
The Internal Revenue Code is hereby amended as follows:

(g) Section 3469 (f) (1), relating to exemption from the tax on transportation of persons, is amended by inserting immediately after the words "the District of Columbia" a comma and the words "or an international organization".

PAR. 6. Section 130.61, as amended by Treasury Decision 5347, is further amended by inserting immediately following the third paragraph thereof a new paragraph as follows:

By virtue of the amendments of the Internal Revenue Code made by, and provisions of, Public Law 291, 79th Congress (International Organizations Immunities Act), approved December 29, 1945, the taxes imposed by section 3469, as amended, do not apply to amounts paid for transportation or facilities furnished to an international organization. (See § 130.1 (d).) When an organization has been designated by the President as entitled to enjoy the privileges, exemptions and immunities conferred by the Act, or part thereof including exemption from the tax, the exemption applies to amounts so paid on and after December 29, 1945, unless the President otherwise provides. The exemption is subject to withdrawal or revocation by the President. In case of withdrawal or revocation, unless otherwise provided by the President, the exemption is inapplicable to payments on or after the date of issuance of the order of withdrawal or the date of revocation.

(Secs. 3472 and 3791 of the Internal Revenue Code (53 Stat. 423, 467; 26 U.S.C.,

1940 ed., 3472, 3791) and secs. 1 and 4 (f), (g) and (i) of the International Organizations Immunities Act (Title I, Public Law 291, 79th Congress))

[SEAL] JOSEPH D. NUNAN, Jr.,  
Commissioner of Internal Revenue.

Approved: June 14, 1946.

JOSEPH J. O'CONNELL, Jr.,  
Acting Secretary of the Treasury.

[F. R. Doc. 46-10358; Filed, June 17, 1946;  
1:29 p. m.]

[T. D. 5520]

# PART 143—TAX WITH RESPECT TO THE TRANSPORTATION OF PROPERTY

## EXEMPTION UNDER INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT

In order to conform Regulation 113 (1943 edition) (26 CFR., Cum. Supp., Part 143), relating to the tax on the amount paid for transportation of property, to sections 1 and 4 (h) and (i) of the International Organizations Immunities Act (Title I, Public Law 291, 79th Congress), approved December 29, 1945, such regulations are hereby amended as follows:

PARAGRAPH 1. Immediately preceding § 143.1 there is inserted the following:

SEC. 4. INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT. (Title I, Public Law 291, 79th Congress, approved December 29, 1945)

The Internal Revenue Code is hereby amended as follows:

(i) Section 3797 (a), relating to definitions, is amended by adding at the end thereof a new paragraph as follows:

(18) *International organization.* The term "international organization" means a public international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act.

SECTION 1. INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT (Title I, Public Law 291, 79th Congress, approved December 29, 1945)

For the purposes of this title, the term "international organization" means a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation, and which shall have been designated by the President through appropriate Executive order as being entitled to enjoy the privileges, exemptions, and immunities herein provided. The President shall be authorized, in the light of the functions performed by any such international organization, by appropriate Executive order to withhold or withdraw from any such organization or its officers or employees any of the privileges, exemptions, and immunities provided for in this title (including the amendments made by this title) or to condition or limit the enjoyment by any such organization or its officers or employees of any such privilege, exemption, or immunity. The President shall be authorized, if in his judgment such action should be justified by reason of the abuse by an international organization or its officers and employees of the privileges, exemptions, and immunities herein provided or for any other reason, at any time to revoke the designation of any international organization under this section, whereupon the international organization in question shall cease to be classed as an international organization for the purposes of this title.



PAR. 2. Section 143.1, as amended by Treasury Decision 5284, approved July 13, 1943, is further amended by adding at the end thereof the following:

(h) *International organization.* The term "international organization", when used in relation to exemption from the tax, means any public international organization in which the United States participates pursuant to any treaty, or under authority of an Act of Congress authorizing such participation or making an appropriation therefor, and which has been designated by the President through an Executive order or orders as being entitled to enjoy the privileges, exemptions and immunities provided by the International Organizations Immunities Act, or part thereof including exemption from the tax, and the designation of which has not been revoked by the President, or the privileges, exemptions and immunities of which, or part thereof, including exemption from the tax, have not been withdrawn by the President by appropriate Executive order.

PAR. 3. Immediately preceding § 143.20 there is inserted the following:

SEC. 4. (Public Law 291, 79th Congress.)  
The Internal Revenue Code is hereby amended as follows:

(h) Section 3475 (b) (1), relating to exemption from the tax on transportation of property, is amended by inserting immediately after the words "the District of Columbia" a comma and the words "or an international organization".

PAR. 4. Immediately following § 143.24, as added by Treasury Decision 5354, approved April 1, 1944, there is inserted the following:

§ 143.25 *International organizations.* Subject to the provisions of section 1 of the International Organizations Immunities Act approved December 29, 1945, the tax imposed by section 3475 does not apply to amounts paid for the transportation of property to or from an international organization. (See § 143.1 (h).) When such an organization has been designated by the President through appropriate Executive order as entitled to enjoy the privileges, exemptions, and immunities conferred by the act, or part thereof including exemption from the tax, the exemption applies to an amount so paid on or after December 29, 1945, unless the President otherwise provides. The exemption may be withdrawn or the designation revoked, by the President. Unless otherwise provided by the President, the exemption is inapplicable to amounts paid on or after the date of issuance of the order of withdrawal or the date of revocation. Where the consignor or consignee shown by the shipping papers is an international organization entitled to exemption from the tax, the papers may be accepted by the carrier as proof of the exempt character of the shipment, and no exemption certificate is required.

PAR. 5. Section 143.25 is renumbered § 143.26, and "§§ 143.20 to 143.24, inclusive" appearing therein is changed to "§§ 143.20 to 143.25, inclusive".

(Sec. 3472 and 3791 of the Internal Revenue Code (53 Stat. 423, 467; 26 U.S.C., 1940 ed., 3472, 3791) and secs. 1 and 4 (h) and (i) of the International Organizations Immunities Act (Title I, Public Law 291, 79th Congress))

[SEAL] JOSEPH D. NUNAN, JR.,  
Commissioner of Internal Revenue.

Approved: June 14, 1946.

JOSEPH J. O'CONNELL, JR.,  
Acting Secretary of the Treasury.  
[F. R. Doc. 46-10357; Filed, June 17, 1946;  
1:29 p. m.]

#### Subchapter D—Employment Taxes

[T. D. 5519]

#### PART 402—EMPLOYEES' TAX AND EMPLOYERS' TAX UNDER THE FEDERAL INSURANCE CONTRIBUTIONS ACT

#### PART 403—EXCISE TAX ON EMPLOYERS UNDER THE FEDERAL UNEMPLOYMENT TAX ACT

#### MISCELLANEOUS AMENDMENTS

In order to conform Regulations 106 (26 CFR, Cum. Supp., Part 402), relating to the employees' tax and the employers' tax under the Federal Insurance Contributions Act (subchapter A, chapter 9, Internal Revenue Code), to sections 1, 4 (c) and (i), 5 (b), and 10 of the International Organizations Immunities Act (Title I, Public Law 291, 79th Congress), approved December 29, 1945, and Regulations 107 (26 CFR, Cum. Supp., Part 403), relating to the excise tax on employers under the Federal Unemployment Tax Act (subchapter C, chapter 9, Internal Revenue Code), to sections 1, 4 (d) and (i), 5 (b), and 10 of such International Organizations Immunities Act, such regulations are amended as follows:

PARAGRAPH 1. Section 402.101 (a) is amended by striking out the last sentence thereof, together with the parentheses.

PAR. 2. Immediately preceding the caption "Section 3797 (a) and (b) of the Internal Revenue Code" as set forth preceding § 402.201, the following is inserted:

#### SECTION 4 (C) OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT

The Internal Revenue Code is hereby amended as follows:

(c) Effective January 1, 1946, section 1426 (b), defining the term "employment" for the purposes of the Federal Insurance Contributions Act, is amended (1) by striking out the word "or" at the end of paragraph (14), (2) by striking out the period at the end of paragraph (15) and inserting in lieu thereof a semicolon and the word "or", and (3) by inserting at the end of the subsection the following new paragraph:

(16) Service performed in the employ of an international organization.

PAR. 3. Immediately preceding § 402.201, the following is inserted:

#### SECTION 4 (I) OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT

The Internal Revenue Code is hereby amended as follows:

(i) Section 3797 (a), relating to definitions, is amended by adding at the end thereof a new paragraph as follows:

(18) *International organization.* The term "international organization" means a public international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act.

SECTION 10 OF PUBLIC LAW 291 (79TH CONGRESS), APPROVED DECEMBER 29, 1945

This title [title I] may be cited as the "International Organizations Immunities Act".

PAR. 4. Immediately preceding § 402.202, the following is inserted:

#### SECTION 5 (B) OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT

No tax shall be collected \* \* \* under the Federal Insurance Contributions Act \* \* \* with respect to services rendered prior to January 1, 1946, which are described in paragraph (16) of sections 1426 (b) \* \* \* of the Internal Revenue Code, as amended. \* \* \*

PAR. 5. Section 402.202 is amended by striking out the last sentence of the second paragraph thereof and inserting in lieu thereof the following:

Section 5 (b) of the International Organizations Immunities Act provides, in effect, that no tax shall be collected under the Federal Insurance Contributions Act with respect to services rendered prior to January 1, 1940, which are described in paragraph (16) of section 1426 (b) of the Federal Insurance Contributions Act in force on and after January 1, 1946, relating to services in the employ of an international organization. (For provisions relating to services rendered after December 31, 1939, and prior to January 1, 1946, with respect to which the collection of tax is prohibited by such section 5 (b), see § 402.206.) The exemption from taxation provided under such section 5 (b) is subject to the provisions of section 1 of the International Organizations Immunities Act (see provisions of such section quoted immediately preceding § 402.226 (a)). Notwithstanding the provisions of § 402.201 (a) and of this section, the term "employment", as used in this part, shall be deemed not to include services with respect to which the collection of tax is prohibited by such section 902 (f), such section 2, or such section 5 (b), as the application of the last-mentioned section may be modified pursuant to such section 1.

PAR. 6. Section 402.203 (a) is amended as follows:

(A) By striking out the period at the end of the first sentence thereof and inserting in lieu thereof "and as amended, effective January 1, 1946, by section 4 (c) of the International Organizations Immunities Act."

(B) By striking from the second sentence thereof "(relating to the several classes of excepted services)" and inserting in lieu thereof "(relating to certain classes of excepted services)".

(C) By inserting immediately after the second sentence thereof, the following:

Section 402.226a, relating to an additional class of excepted services, applies with respect only to services performed on or after January 1, 1946.

(D) By inserting immediately preceding the last sentence thereof, the following:



For provisions relating to the circumstances under which certain services with respect to which the collection of tax is prohibited are deemed not to be included within the term "employment" as used in this part, see § 402.206.

PAR. 7. Immediately preceding § 402.206, the following is inserted:

**SECTION 5 (b) OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT**

No tax shall be collected \* \* \* under the Federal Insurance Contributions Act \* \* \* with respect to services rendered prior to January 1, 1946, which are described in paragraph (16) of sections 1426 (b) \* \* \* of the Internal Revenue Code, as amended, and any such tax heretofore collected (including penalty and interest with respect thereto, if any) shall be refunded in accordance with the provisions of law applicable in the case of erroneous or illegal collection of the tax. No interest shall be allowed or paid on the amount of any such refund. \* \* \*

PAR. 8. Section 402.206 is amended as follows:

(A) By striking out the period at the end of the first sentence thereof and inserting in lieu thereof "and as amended, effective January 1, 1946, by section 4 (c) of the International Organizations Immunities Act."

(B) By striking out the first sentence of the last paragraph thereof and inserting in lieu thereof the following:

This section, § 402.207 (relating to included and excluded services), and §§ 402.208 to 402.226, inclusive (relating to certain classes of excepted services), apply with respect only to services performed on or after January 1, 1940. Section 402.226a, relating to an additional class of excepted services, applies with respect only to services performed on or after January 1, 1946.

(C) By inserting at the end of such section, the following:

The collection of tax under the act with respect to certain services rendered prior to January 1, 1946, is prohibited although such services are not excepted by section 1426 (b) of the act in force prior to such date. Section 5 (b) of the International Organizations Immunities Act provides that no tax shall be collected under the Federal Insurance Contributions Act with respect to services rendered prior to January 1, 1946, which are described in paragraph (16) of section 1426 (b) of the Federal Insurance Contributions Act in force on and after such date, relating to services in the employ of an international organization. The exemption from taxation provided under such section 5 (b) is subject to the provisions of section 1 of the International Organizations Immunities Act (see provisions of such section quoted immediately preceding § 402.226a). Notwithstanding any other provision of this part services with respect to which the collection of tax is prohibited by such section 5 (b), as the application of such section may be modified pursuant to such section 1, shall be deemed not to be included within the term "employment" as used in this part.

PAR. 9. Immediately after § 402.226, the following is inserted:

**SECTION 1426 (b) (16) OF THE ACT**

The term "employment" means \* \* \* any service, of whatever nature, performed after December 31, 1939, by an employee for the person employing him \* \* \* except:

(16) Service performed in the employ of an international organization. (Sec. 1426 (b) (16), I.R.C., as added, effective Jan. 1, 1946, by sec. 4 (c), International Organizations Immunities Act.)

**SECTION 3797 (a) (18) OF THE INTERNAL REVENUE CODE INTERNATIONAL ORGANIZATION**

The term "international organization" means a public international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act. (Sec. 3797 (a) (18), I.R.C., as added by sec. 4 (1), International Organizations Immunities Act)

**SECTION 1 OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT**

For the purposes of this title (International Organizations Immunities Act), the term "international organization" means a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation, and which shall have been designated by the President through appropriate Executive order as being entitled to enjoy the privileges, exemptions, and immunities herein provided. The President shall be authorized, in the light of the functions performed by any such international organization, by appropriate Executive order to withhold or withdraw from any such organization or its officers or employees any of the privileges, exemptions, and immunities provided for in this title (including the amendments made by this title) or to condition or limit the enjoyment by any such organization or its officers or employees of any such privilege, exemption, or immunity. The President shall be authorized, if in his judgment such action should be justified by reason of the abuse by an international organization or its officers and employees of the privileges, exemptions, and immunities herein provided or for any other reason, at any time to revoke the designation of any international organization under this section, whereupon the international organization in question shall cease to be classed as an international organization for the purposes of this title.

§ 402.226a *International organizations.* Subject to the provisions of section 1 of the International Organizations Immunities Act, services performed on or after January 1, 1946, in the employ of an international organization as defined in section 3797 (a) (18) of the Internal Revenue Code are excepted. For provisions relating to the circumstances under which services rendered prior to January 1, 1946, in the employ of an international organization are deemed not to be included within the term "employment" as used in this part, see § 402.206.

PAR. 10. Section 402.704 (h) is amended to read as follows:

(h) *Refunds under section 902 (f) of the Social Security Act amendments of 1939, section 2 of the act of August 11, 1939, and section 5 (b) of the International Organizations Immunities Act.* The provisions of this section shall apply in the case of claims for refund with respect to services described by section 902 (f) of the Social Security Act amendments of 1939, section 2 of the act of August 11, 1939 (53 Stat. 1420), and sec-

tion 5 (b) of the International Organizations Immunities Act. (For provisions relating to such services, see §§ 402.202 and 402.206.)

PAR. 11. Immediately preceding the caption "Section 3797 (a) and (b) of the Internal Revenue Code" as set forth preceding § 403.201, the following is inserted:

**SECTION 4 (d) OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT**

The Internal Revenue Code is hereby amended as follows:

(d) Effective January 1, 1946, section 1607 (c), defining the term "employment" for the purposes of the Federal Unemployment Tax Act, is amended (1) by striking out the word "or" at the end of paragraph (14), (2) by striking out the period at the end of paragraph (15) and inserting in lieu thereof a semicolon and the word "or", and (3) by inserting at the end of the subsection the following new paragraph:

(16) *Service performed in the employ of an international organization.*

PAR. 12. Immediately preceding § 403.201, the following is inserted:

**SECTION 4 (1) OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT**

The Internal Revenue Code is hereby amended as follows:

(1) Section 3797 (a), relating to definitions, is amended by adding at the end thereof a new paragraph as follows:

(18) *International organization.* The term "international organization" means a public international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act.

**SECTION 10 OF PUBLIC LAW 291 (79TH CONGRESS), APPROVED DECEMBER 29, 1945**

This title [title I] may be cited as the "International Organizations Immunities Act".

PAR. 13. Immediately preceding § 403.202, the following is inserted:

**SECTION 5 (b) OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT**

No tax shall be collected \* \* \* under \* \* \* the Federal Unemployment Tax Act, with respect to services rendered prior to January 1, 1946, which are described in paragraph (16) of sections \* \* \* 1607 (c) of the Internal Revenue Code, as amended \* \* \*

PAR. 14. Section 403.202 is amended by striking out the last sentence of the second paragraph thereof and inserting in lieu thereof the following:

Section 5 (b) of the International Organizations Immunities Act provides, in effect, that no tax shall be collected under the Federal Unemployment Tax Act with respect to services rendered prior to January 1, 1940, which are described in paragraph (16) of section 1607 (c) of the Federal Unemployment Tax Act in force on and after January 1, 1946, relating to services in the employ of an international organization. (For provisions relating to services rendered after December 31, 1939, and prior to January 1, 1946, with respect to which the collection of tax is prohibited by such section 5 (b), see § 403.206.) The exemption from taxation provided under such section 5 (b) is subject to the provisions of section 1 of the International Organizations Immunities Act (see provisions of such sec-



tion quoted immediately preceding § 403.226a). Notwithstanding the provisions of § 403.201 (a) and of this section, the term "employment", as used in this part, shall be deemed not to include services with respect to which the collection of tax is prohibited by such section 902 (f), such section 2, or such section 5 (b), as the application of the last-mentioned section may be modified pursuant to such section 1.

PAR. 15. Section 403.203 (a), as amended by Treasury Decision 5502, approved March 18, 1946, is further amended as follows:

(A) By striking out the period at the end of the first sentence thereof and inserting in lieu thereof "and as amended, effective January 1, 1946, by section 4 (d) of the International Organizations Immunities Act."

(B) By striking from the second sentence thereof "(relating to the several classes of excepted services)" and inserting in lieu thereof "(relating to certain classes of excepted services)".

(C) By inserting immediately after the second sentence thereof, the following:

Section 403.226a, relating to an additional class of excepted services, applies with respect only to services performed on or after January 1, 1946.

(D) By inserting immediately preceding the last sentence of the first paragraph thereof, the following:

For provisions relating to the circumstances under which certain services with respect to which the collection of tax is prohibited are deemed not to be included within the term "employment" as used in this part, see § 403.206.

PAR. 16. Immediately preceding § 403.206, the following is inserted:

SECTION 5 (B) OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT

No tax shall be collected \* \* \* under \* \* \* the Federal Unemployment Tax Act, with respect to services rendered prior to January 1, 1946, which are described in paragraph (16) of sections \* \* \* 1607 (c) of the Internal Revenue Code, as amended, and any such tax heretofore collected (including penalty and interest with respect thereto, if any) shall be refunded in accordance with the provisions of law applicable in the case of erroneous or illegal collection of the tax. No interest shall be allowed or paid on the amount of any such refund. \* \* \*

PAR. 17. Section 403.206 is amended as follows:

(A) By striking out the period at the end of the first sentence thereof and inserting in lieu thereof "and as amended, effective January 1, 1946, by section 4 (d) of the International Organizations Immunities Act."

(B) By striking out the first sentence of the last paragraph thereof and inserting in lieu thereof the following:

This section, § 403.207 (relating to included and excluded services), and §§ 403.208 to 403.226, inclusive (relating to certain classes of excepted services), apply with respect only to services performed on or after January 1, 1940. Section 403.226a, relating to an additional class of excepted services, applies

with respect only to services performed on or after January 1, 1946.

(C) By inserting at the end of such section, the following:

The collection of tax under the act with respect to certain services rendered prior to January 1, 1946, is prohibited although such services are not excepted by section 1607 (c) of the act in force prior to such date. Section 5 (b) of the International Organizations Immunities Act provides that no tax shall be collected under the Federal Unemployment Tax Act with respect to services rendered prior to January 1, 1946, which are described in paragraph (16) of section 1607 (c) of the Federal Unemployment Tax Act in force on and after such date, relating to services in the employ of an international organization. The exemption from taxation provided under such section 5 (b) is subject to the provisions of section 1 of the International Organizations Immunities Act (see provisions of such section quoted immediately preceding § 403.226a). Notwithstanding any other provision of this part, services with respect to which the collection of tax is prohibited by such section 5 (b), as the application of such section may be modified pursuant to such section 1 shall be deemed not to be included within the term "employment" as used in this part (including section 403.205, relating to who are employers).

PAR. 18. Immediately after § 403.226, the following is inserted:

SECTION 1607 (c) (16) OF THE ACT

The term "employment" means \* \* \* any service, of whatever nature, performed after December 31, 1939, within the United States by an employee for the person employing him \* \* \* except:

(16) Service performed in the employ of an international organization. (Sec. 1607 (c) (16), I. R. C., as added, effective Jan. 1, 1946, by sec. 4 (d), International Organizations Immunities Act.)

SECTION 3797 (A) (18) OF THE INTERNAL REVENUE CODE INTERNATIONAL ORGANIZATION

The term "international organization" means a public international organization entitled to enjoy privileges, exemptions, and immunities as an international organization under the International Organizations Immunities Act. (Sec. 3797 (a) (18), I. R. C., as added by sec. 4 (i), International Organizations Immunities Act.)

SECTION 1 OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT

For the purposes of this title [International Organizations Immunities Act], the term "international organization" means a public international organization in which the United States participates pursuant to any treaty or under the authority of any Act of Congress authorizing such participation or making an appropriation for such participation, and which shall have been designated by the President through appropriate Executive order as being entitled to enjoy the privileges, exemptions, and immunities herein provided. The President shall be authorized, in the light of the functions performed by any such international organization, by appropriate Executive order to withhold or withdraw from any such organization or its officers or employees any of the privileges, exemptions, and immunities provided for in this title (including the amendments made by this title) or to condition or limit the enjoyment by any such organization or its

officers or employees of any such privilege, exemption, or immunity. The President shall be authorized, if in his judgment such action should be justified by reason of the abuse by an international organization or its officers and employees of the privileges, exemptions, and immunities herein provided or for any other reason, at any time to revoke the designation of any international organization under this section, whereupon the international organization in question shall cease to be classed as an international organization for the purposes of this title.

§ 403.226a *International organizations*. Subject to the provisions of section 1 of the International Organizations Immunities Act, services performed on or after January 1, 1946, in the employ of an international organization as defined in section 3797 (a) (18) of the Internal Revenue Code are excepted. For provisions relating to the circumstances under which services rendered prior to January 1, 1946, in the employ of an international organization are deemed not to be included within the term "employment" as used in this part, see § 403.206.

PAR. 19. Section 403.602, as amended by Treasury Decision 5383, approved June 28, 1944, is further amended by adding at the end thereof the following:

(k) *Refunds under section 5 (b) of the International Organizations Immunities Act*. The provisions of this section of this part shall apply in the case of claims for refund with respect to services described by section 5 (b) of the International Organizations Immunities Act. (For provisions relating to such services, see §§ 403.202 and 403.206.) No interest shall be allowed or paid by the Government on the amount of any such refund.

(Sec. 1429 and 1609 of the Internal Revenue Code (53 Stat. 178, 188; 26 U.S.C., 1429, 1609) and secs. 1, 4 (c), (d), and (i), 5 (b), and 10 of the International Organizations Immunities Act (Title I, Public Law 291, 79th Congress), approved December 29, 1945))

[SEAL] JOSEPH D. NUNAN, Jr.,  
Commissioner of Internal Revenue.

Approved: June 14, 1946.

JOSEPH J. O'CONNELL, Jr.,  
Acting Secretary of the Treasury.

[F. R. Doc. 46-10356; Filed, June 17, 1946; 1:29 p. m.]

TITLE 32—NATIONAL DEFENSE  
Chapter VI—Selective Service System  
[Amdt. 384]

PART 605—GENERAL ADMINISTRATION

INFORMATION RELATIVE TO QUOTAS AND CALLS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend the regulations by deleting § 605.42 *Furnishing information relative to quotas and calls prohibited in its entirety*.

The foregoing amendments to the Selective Service Regulations shall be effective



tive within the continental United States immediately upon the filing hereof with the Division of the Federal Register and shall be effective outside the continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,  
Director.

JUNE 14, 1946.

[F. R. Doc. 46-10363; Filed, June 17, 1946;  
3:30 p. m.]

# Chapter VIII—Office of International Trade, Department of Commerce

## Subchapter B—Export Control

[Amdt. 201]

### PART 801—GENERAL REGULATIONS

#### PROHIBITED EXPORTATIONS

Section 801.2 *Prohibited exportations*, is hereby amended as follows:

The list of commodities set forth in paragraph (b) is amended in the following particulars:

1. The following commodities are hereby added to the list of commodities:

Dept. of Com. Sched. B No.	Commodity	Unit	GLV dollar value limits, country group	
			K	E
839500 949798	Tear gas. Tear gas guns and equipment.	Lb.	1 1	1 1

2. The following commodities are hereby removed from the list of commodities:

Dept. of Com. Sched. B No.	Commodity
220919	Pyrethrum or insect flowers. Small hardwood dimension stock, other than squares:
413600	Picker stick blanks.
413600	Shuttle block blanks.
820530	Pyrethrum extract.
820590	Pyrethrum or insect flower powders.

Shipments of any of the above commodities removed from general license which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

This amendment shall become effective immediately except that, with respect to commodities removed from general license, it shall become effective on June 24, 1946.

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270; E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: June 14, 1946.

JOHN C. BORTON,  
Director,

Requirements and Supply Branch.

[F. R. Doc. 46-10424; Filed, June 18, 1946;  
11:16 a. m.]

[Amdt. 202]

### PART 812—LIMITED PRODUCTION LICENSES FOR PASSENGER AUTOMOBILES AND TRUCKS

#### PERIOD OF VALIDITY

Section 812.3 *Period of validity* is amended by striking out the date "July 31, 1946" and substituting in lieu thereof the date "October 31, 1946".

(Sec. 6, 54 Stat. 714; 55 Stat. 206; 56 Stat. 463; 58 Stat. 671; 59 Stat. 270, E.O. 8900, 6 F.R. 4795; E.O. 9361, 8 F.R. 9861; Order No. 1, 8 F.R. 9938; E.O. 9380, 8 F.R. 13081; E.O. 9630, 10 F.R. 12245; Order No. 390, 10 F.R. 13130)

Dated: June 10, 1946.

JOHN C. BORTON,

Director,

Requirements and Supply Branch.

[F. R. Doc. 46-10425; Filed, June 18, 1946;  
11:16 a. m.]

### Chapter XI—Office of Price Administration

#### PART 1499—COMMODITIES AND SERVICES

[RMPR 165, Supp. Service Reg. 71]

##### REPAIR SERVICES ON BUSINESS MACHINES

A statement of the considerations involved in the issuance of this supplementary service regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register. For the reasons set forth in that statement and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250, 9328, 9599, and 9651, Supplementary Service Regulation No. 71 is hereby issued.

§ 1499.712 *Services covered.* (a) This regulation applies to any manufacturer of business machines who is also engaged in the repair or maintenance of such machines.

(b) *Applicability of other regulations.* Except as provided herein to the contrary, all provisions of RMPR 165 and any other applicable service regulation shall apply to the services subject to this regulation.

(c) *Maximum price determination.* A manufacturer of business machines who is also engaged in the repair or maintenance of such machines is authorized to adjust his customers' hourly rate in accordance with the results of his computations specified in the Computation Table below. In making the calculations, careful attention must be paid to subparagraphs (1), (2), (3), and (4) below, and also the definitions in paragraph (f).

#### COMPUTATION TABLE

Line	
1.	March 1942 customers' hourly rate. \$----
2.	1941 hourly direct labor cost.-----
3.	1941 gross margin (line 1 minus line 2).-----
4.	One-half of amount shown in line 1.-----
5.	Line 3 or line 4, whichever is smaller.-----
6.	Current hourly direct labor cost.-----
7.	Line 5 plus line 6.-----
8.	Permissible maximum hourly rate (line 7 rounded to nearest nickel).-----
9.	Permissible increase factor (line 8 divided by line 1; carry dividend to three decimal points).-----

(1) If a manufacturer has different customers' hourly rates for different classes of customers, he must insert in Line 1 of the table the weighted average customers' hourly rate charged for all work done on a time and materials basis during the identical period for which the current hourly direct labor cost in Line 6 is computed.

(2) If a manufacturer sells different services at varying rates, and a separate group of mechanics is employed for each, a computation must be made for each service. In such cases the figures in Lines 2 and 6 must reflect only the hourly direct labor cost of the particular service.

(3) If the figure in Line 8 is lower than the manufacturer's present hourly rate, no increase can be allowed.

(4) If the figure in Line 8 is the average adjusted customers' hourly rate (i. e. if the figure in Line 1 is an average rate) and is higher than the manufacturer's present average adjusted customers' hourly rate, the difference between the figures in Line 7 and Line 1 shall be added to each customers' hourly rate to obtain a new group of adjusted rates. These rates must be rounded to the nearest nickel.

(d) *Adjustment of fixed charges.* If a manufacturer has established fixed charges for certain services under RMPR 165, and has a "permissible increase factor" (as determined in Line 9), he may increase such fixed charges by his "permissible increase factor." The adjusted fixed charges must be rounded to the nearest nickel. A fixed charge means a charge not computed by means of a customer's hourly rate.

(e) *Filing.* Each manufacturer wishing to qualify for increases under this regulation must submit his computation table to the Service Trades Branch, Office of Price Administration, Washington, D. C., for approval. In addition, a statement shall be submitted with the computation table that the hourly direct labor cost figure shown in line 6 is based on wage rates in effect on February 14, 1946; or in case the figure reflects rates higher than those in effect on that date, a copy of the National Wage Stabilization Board's approval of the higher rates.

(1) Adjusted prices shall be considered approved 20 days after receipt of the filing unless the manufacturer is advised within that time of disapproval or a request is made for additional information.

(2) Upon approval of price adjustments, a statement shall be prepared by the manufacturer showing the new hourly rates, the adjusted schedule of flat charges, and a notation that such adjusted prices have been approved by the Service Trades Branch, Office of Price Administration, Washington, D. C., in accordance with the provisions of this regulation.

(3) Within 30 days of the approval of increased prices, a copy of the statement required in subparagraph (2) shall be filed with the Service Trades Branch, Office of Price Administration, Washington, D. C., and with each OPA District Office within the jurisdiction of which the manufacturer maintains a branch or service outlet.

(4) When new outlets are established, proper amendments to the original state-



ment must be filed. If the outlet is in a District where a statement has not been previously filed, a complete statement must be filed within ten days after the opening of the outlet.

(f) *Definitions.* As used in this regulation the term:

"Business machine" means any machine listed in Appendix A.

"Customers' hourly rate" means the established maximum per hour charge for labor. The term as used in this regulation refers to the rate before adoption of overtime increases permitted by Supplementary Service Regulation 21, or any other previously authorized increases.

"Weighted average customers' hourly rate" means the figure derived by dividing total labor sales (i. e. services sold on a time and material basis) by the total hours sold.

"Hourly direct labor cost" means the weighted average straight-time hourly wage paid to productive mechanics regularly engaged in repair or maintenance work, including apprentices and trainees but excluding foremen, service managers, and other supervisory personnel.

"Gross margin" means the difference between the customers' hourly rate and the hourly direct labor cost.

"Dollar-and-cents increase in hourly direct labor cost" means the actual dollar-and-cents difference between hourly direct labor cost in the year 1941 and that in the most recent month preceding the effective date of this regulation, or any other current month which reflects the wage cost of approved wage rates.

#### APPENDIX A

1. *Accounting machines.* Office machines, other than punched card machines designed for book-keeping functions and capable of posting and accumulating.

2. *Adding and calculating machines.* Office machines, designed to add, or to subtract, multiply, divide or compute, whether listing or nonlisting; including adding machine cash drawer, combinations and payroll denomination machines.

3. *Addressing machines.* Office machines designed for imprinting envelopes or forms from prepared plates, stencils or cast type.

4. *Autographic registers.* Office or store machines for manifolding handwritten invoices or records by the use of carbon paper and continuous forms; including registers with cash drawers.

5. *Cash registers.* Store machines which indicate to customer amount of sales transaction; with or without recording, cash drawer, calculating or issuing functions.

6. *Check handling machines.* Office machines designed to sign in duplicate, or to shred, crimp, perforate, number, stamp, date, or protect checks or other forms; not including mailing machines.

7. *Coin handling machines.* Office machines without printing mechanism designed to sort, count or wrap coins.

8. *Dictating machines.* Office machines designed to record or reproduce the voice through use of cylinders or discs; including shaving machines and telephone recorders.

9. *Duplicating machines.* Office machines designed to reproduce copies by hectograph, spirit, stencil, offset, or cast type not including machines using photographic, blue print, photostatic, or carbon paper principle.

10. *Fare machines.* Registers and boxes handling fares or issuing tickets, (including taximeters).

11. *Mailing machines.* Office or post office machines for sealing, stamping, or opening envelopes; folding or inserting letters; cancelling stamps; handling metered postage.

12. *Tabulating machines.* Card punching, sorting, and accounting machines used for statistical work.

13. *Time recorders and stamps.* Office or factory machines for stamping or printing time records.

14. *Typewriters, including portable typewriters.*

15. *Writing machines.* Office machines, typewriter principal, with features for:

Electric or automatic duplication.  
Handling or collating continuous forms.  
Shorthand writing.  
Embossing Braille characters.  
Toll or telephone billing.  
Proportional spacing.  
Right-hand margin justification.  
Front or vertical paper feed.  
Composing through use of interchangeable type.

16. Any device of which any of the above machines are a component part.

This regulation shall become effective June 24, 1946.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10436; Filed, June 18, 1946;  
11:37 a. m.]

#### PART 1337—RAYON

[MPR 168, Amdt. 5]

#### CONVERTED RAYON YARN AND CONVERTING CHARGES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation No. 168 is amended in the following respects:

1. Tables III, IV, and V in § 1337.62 (a) are amended to read as follows:

TABLE III—CREPE TWISTING

(Unless otherwise indicated, prices are based on the use of graded yarns supplied in standard long skeins, with original producers twist, delivery to be on spools)

Denier and process	Basic total turns twist	Price per pound	Differentials			
			If from doped cones or cakes	If inferior skeins used	If short skeins used <sup>2</sup>	Each turn over basic total turns twist
50 Viscose.....	60-65.....	\$0.93	-\$0.04	+\$0.065	+\$0.025	+\$0.0065
50 Bemberg <sup>1</sup> .....	60-65.....	.99	-.04	+.065	+.025	+.0065
65 Bemberg <sup>1</sup> .....	52½-57½.....	.76	-.035	+.065	+.025	+.0065
75 Bemberg <sup>1</sup> .....	52½-57½.....	.60	-.03	+.065	+.025	+.0065
75 Viscose.....	52½-57½.....	.56	-.03	+.04	+.025	+.0065
100 Viscose.....	50-55.....	.40	-.02	+.04	+.02	+.005
125 Viscose.....	47-52.....	.34	-.02	+.025	+.02	+.004
150 Viscose.....	45-50.....	.315	-.02	+.025	+.015	+.004
200 Viscose.....	45-50.....	.275	-.02	+.02	+.015	+.025

<sup>1</sup> Based on no original producers twist.

<sup>2</sup> Under 7500 yards.

All delivered weights based on Standard 11% moisture regain.

TABLE IV—VOILE TWISTING

(Unless otherwise indicated, prices are based on the use of graded yarns supplied in standard long skeins, with original producers twist, delivery to be on spools)

Denier and process	Basic total turns twist	Price per pound	Differential				
			If from doped cones or cakes <sup>1</sup>	If inferior skeins used	If short skeins used <sup>2</sup>	Each turn over basic total turns twist	Each turn under basic total turns twist
65 Bemberg <sup>1</sup> .....	25-28.....	\$0.50	-\$0.035	+\$0.065	+\$0.025	+\$0.0065	-\$0.005
75 Bemberg <sup>1</sup> .....	25-28.....	.44	-.03	+.065	+.025	+.0065	-.005
75 Acetate.....	28-30.....	.35	-.00	+.045	+.025	+.0065	-.005
75 Viscose.....	28-30.....	.40	-.03	+.045	+.025	+.0065	-.005
75 Viscose.....	34-38.....	.43	-.03	+.045	+.025	+.0065	-.005
100 Acetate.....	25-28.....	.28	-.00	+.04	+.02	+.005	-.004
100 Viscose.....	25-28.....	.32	-.02	+.04	+.02	+.005	-.004
150 Acetate.....	20-22.....	.25	-.00	+.025	+.015	+.004	-.003
150 Viscose.....	20-22.....	.24	-.02	+.025	+.015	+.004	-.003
200 Acetate.....	20-22.....	.22	.00	+.02	+.015	+.0025	-.002
300 Acetate.....	12-15.....	.18	.00	+.015	+.01	+.0025	-.002

<sup>1</sup> Original yarn supplied on cones, whether doped or not.

<sup>2</sup> Based on no original producers twist.

<sup>3</sup> Under 7,500 yards.

All delivered weights based on Standard 11% moisture regain for Bemberg and viscose process yarns, and 6.5% for acetate process.

<sup>4</sup> 7 F.R. 4663, 8193, 8948; 8 F.R. 373, 6673, 15368.



TABLE V—COMBINATION CREPE TWISTING

(Unless otherwise indicated, prices are based on the use of graded yards supplied in standard long skeins, with original producer's twist, delivery to be on spools)

Type of combination	Basic number turns in single yarn	Basic number turns in ply yard	Price per pound	Differentials			
				If supplied on pre-treated cones	If inferior skeins used	If short skeins used <sup>1</sup>	Each turn in ply over basic ply twist
50 Viscose.....	55-60.....	20-22.....	\$0.90	-\$0.02	+\$0.035	+\$0.015	+\$0.0065
55 Acetate.....	Producers.....						
75 Viscose.....	55-60.....	12-15.....	.56	-.015	+.02	+.01	+.006
75 Acetate.....	Producers.....						
75 Viscose.....	55-60.....	12-15.....	.50	-.015	+.02	+.01	+.006
100 Acetate.....	Producers.....						
100 Viscose.....	52½-57½.....	12-15.....	.44	-.01	+.02	+.01	+.005
100 Acetate.....	Producers.....						
100 Viscose.....	52½-57½.....	12-15.....	.41	-.01	+.02	+.01	+.005
120 Acetate.....	Producers.....						
100 Viscose.....	52½-57½.....	12-15.....	.38	-.01	+.015	+.01	+.004
150 Acetate.....	Producers.....						
150 Viscose.....	45-50.....	8-10.....	.32	-.01	+.01	+.01	+.004
150 Acetate.....	Producers.....						
<b>Cable crepe</b>							
75 Viscose.....	50-55.....	15-20.....	.82	.03	+.045	+.025	+.0065
75 Viscose.....	50-55.....						
100 Viscose.....	50-55.....	12-16.....	.63	.02	+.045	+.02	+.005
100 Viscose.....	50-55.....						

<sup>1</sup> Under 7,500 yards.

All delivered weights are based by proportionate weight on Standard 11% regain for viscose process and 6.5% for acetate process.

2. Table VI in § 1337.62 (a) is amended by adding footnote 2 thereto to read as follows:

\* This Table VI shall not be used for "in-lining" twisted yarns with turns in excess of 14 for yarns finer than 100 denier or in excess of 12 for 100 denier and coarser.

This amendment shall become effective June 17, 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10372; Filed, June 17, 1946;  
4:48 p. m.]

#### PART 1305—ADMINISTRATION

[SO 108, Corr. to Special Order 15]

#### SUSPENSION FROM SUPPLEMENTARY ORDER 108 OF CERTAIN FUR TRIMMED CLOTH COATS

Special Order 15 under Supplementary Order 108 is corrected by the insertion of the date "June 30, 1946" in section 6 (b) following the words "dated on or after" and preceding the word "stating".

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10386; Filed, June 17, 1946;  
4:50 p. m.]

#### PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,<sup>1</sup>  
Amdt. 40]

#### DESIGNATION OF CERTAIN AREAS AND RENT DECLARATIONS RELATING TO SUCH AREAS

Items 50 and 192 in paragraph 1388.-1201 of Designation and Rent Declaration 25 are amended to read as follows:

<sup>1</sup> 9 F.R. 5820, 11540, 11798, 12865, 12967, 14060; 10 F.R. 2407, 4714, 5576, 7854, 11294, 12446, 13545; 11 F.R. 248.

(50) Augusta, Ga.	Georgia.....	County of Richmond.
(192) Columbia S. C.	South Carolina.	Counties of Aiken, Calhoun, Florence, Lexington, Richland, and Sumter.

Issued and effective June 17, 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10385; Filed, June 17, 1946;  
4:48 p. m.]

#### PART 1305—ADMINISTRATION

[Rev. SO 113,<sup>1</sup> Amdt. 5]

#### MANUFACTURERS' MAXIMUM AVERAGE PRICE FOR WOOL CIVILIAN APPAREL FABRICS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Supplementary Order No. 113 is amended in the following respect:

Section 6 (d) is amended to read as follows:

(d) *Election and change of election.* A manufacturer's election of the class or category basis (and of the categories he desires to use, if he elects the latter basis) shall be indicated in his "new base period report" (see paragraph (a) of section 14) or in the "application by other manufacturers" (see paragraph (a) of section 8), whichever is applicable. A manufacturer who makes an election subsequent to December 31, 1945 must file such new election (together with an appropriately changed "new base period report" or "application by other manufacturers", whichever is applicable, and appropriately changed quarterly reports for all quarters subsequent to July 1, 1945 reflecting his new election) with the

<sup>1</sup> 10 F.R. 9265, 14815; 11 F.R. 174.

Office of Price Administration, Washington 25, D. C. Any new election made after December 31, 1945 shall become effective, but only for the purpose of establishing the seller's credit or surcharge position at the time of election, as of the beginning of the third quarter of 1945. If a manufacturer is subject to the makeup rule at the time of the filing of his new election, or was so subject at any time prior thereto, the filing of such new election shall not excuse or eliminate any violations of the makeup rule which occurred prior to the date of filing of such election. Furthermore, credits earned by a manufacturer previous to the date of his new election and as a result thereof are to be applied only against surcharges incurred before that date. However, only an election made on or subsequent to the effective date of this amendment is subject to this credit restriction.

This amendment shall become effective June 24, 1946.

NOTE: The reporting provisions of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10468; Filed, June 18, 1946;  
11:37 a. m.]

#### PART 1305—ADMINISTRATION

[SO 142, Amdt. 4]

#### ADJUSTMENT, PROVISIONS FOR SALES OF INDUSTRIAL MACHINERY AND EQUIPMENT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.

Supplementary Order No. 142 is amended in the following respects:

1. Section 2 (d) (3) of Supplementary Order No. 142 is amended by revising the parenthetical exception to read as follows: "(other than radio parts and those products covered by MPR 67, MPR 246, and MPR 453)".

2. Section 2 (d) is amended by adding the following subparagraph (4):

(4) *Maximum prices for radio parts.* The maximum prices for sales by resellers of radio parts shall be determined as follows: The reseller shall increase the maximum net prices he had in effect to a purchaser of the same class just prior to the issuance of the order granting an increase to his manufacturer, by the same percentage by which his net invoiced cost has been increased by reason of that order.

3. Section 1 is amended by adding to the first paragraph the following: "Maximum Price Regulation 134 (Construction and Road Maintenance Equipment, Rental Prices and Charges for Operating and Maintenance or Repair and Rebuilding Services)".



This amendment shall become effective June 24, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10472; Filed, June 18, 1946;  
11:37 a. m.]

(71) Augusta, Ga.	Georgia	Richmond	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(278) Columbia, S. C.	South Carolina	Alben	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		Calhoun, Lexington, and	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
		Richland.	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Sumter	Mar. 1, 1942	May 1, 1943	June 15, 1943
		Florence	Mar. 1, 1942		

Issued and effective June 17, 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10383; Filed, June 17, 1946;  
4:48 p. m.]

(71) Augusta, Ga.	Georgia	Richmond	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(278) Columbia, S. C.	South Carolina	Alben	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		Calhoun, Lexington, and	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
		Richland.	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Sumter	Mar. 1, 1942	May 1, 1943	June 15, 1943
		Florence	Mar. 1, 1942		

Issued and effective June 17, 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10384; Filed, June 17, 1946;  
4:48 p. m.]

#### PART 1312—LUMBER AND LUMBER PRODUCTS [MPR 535-1,<sup>1</sup> Amdt. 8]

##### INSULATION AND FELT CORDWOOD AND RELATED PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 535-1 is amended in the following respects:

1. Section 11 (1) (4) is amended to read as follows:

(4) *Truck delivery provision.* If wood produced in any part of Zone 464-VI except the state of Missouri is delivered to the mill by truck, \$2.00 per cord may be added to the f. o. b. cars price. If wood produced in the state of Missouri is delivered to the mill by truck, the buyer and seller shall determine the total distance that wood has been hauled as well as the distance from the wood cutting operations to the nearest rail shipping point. The buyer may then add 5 cents per cord of 128 cubic feet for each load mile that the wood is hauled in excess of the distance to the nearest rail shipping point. (Thus, if wood is hauled 30 miles to a mill from a zone of operations which is 10 miles from a rail siding, the buyer may pay a trucking addition for the distance in excess of the distance to the rail siding or for 20 miles).

<sup>1</sup> 11 F.R. 4000, 4163, 4582, 4730, 5542, 5954, 5825, 5951, 5952.

<sup>2</sup> 10 F.R. 13528, 13454, 14399; 11 F.R. 247, 249, 740, 1299, 1773, 2116, 2189, 2445, 3480, 4015, 4153, 4731, 5396, 5824, 5952, 5953.

#### PART 1388—DEFENSE-RENTAL AREAS

[Hotels and Rooming Houses;<sup>1</sup> Amdt. 85  
(\$ 1388.1231)]

##### HOTELS AND ROOMING HOUSES

Items 71 and 278 of the Rent Regulation for Hotels and Rooming Houses are amended to read as follows:

(71) Augusta, Ga.	Georgia	Richmond	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(278) Columbia, S. C.	South Carolina	Alben	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		Calhoun, Lexington, and	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
		Richland.	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Sumter	Mar. 1, 1942	May 1, 1943	June 15, 1943
		Florence	Mar. 1, 1942		

#### PART 1388—DEFENSE-RENTAL AREAS

[Housing;<sup>2</sup> Amdt. 91 (\$ 1388.1181)]

##### HOUSING

Items 71 and 278 of the Rent Regulation for Housing are amended to read as follows:

(71) Augusta, Ga.	Georgia	Richmond	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
(278) Columbia, S. C.	South Carolina	Alben	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
		Calhoun, Lexington, and	Mar. 1, 1942	Nov. 1, 1942	Jan. 14, 1943
		Richland.	Mar. 1, 1942	Dec. 1, 1942	Jan. 15, 1943
		Sumter	Mar. 1, 1942	May 1, 1943	June 15, 1943
		Florence	Mar. 1, 1942		

This amendment shall become effective June 24, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10456; Filed, June 18, 1946;  
11:40 a. m.]

#### PART 1347—PAPER AND PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING [MPR 344,<sup>4</sup> Amdt. 5]

##### NEW COTTON, LINEN AND UNDERWEAR CUTTINGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1347.755 is amended to read as follows:

§ 1347.755 *Imports.* This regulation does not apply to transactions in new cotton, linen and underwear cuttings as defined in § 1347.763 (a) (2), imported or to be imported into the continental United States. Such transactions shall be subject to the provisions of the Maximum Import Price Regulation.

This amendment shall become effective June 24, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10448; Filed, June 18, 1946;  
11:38 a. m.]

<sup>3</sup> 9 F.R. 5306; 10 F.R. 15958, 22625; 11 F.R. 1814.

<sup>4</sup> 7 F.R. 9722, 8 F.R. 3845, 6109, 7199, 7380, 7831, 13049, 17483; 9 F.R. 6107, 8058, 11108; 10 F.R. 1787.

#### PART 1347—PAPER, PAPER PRODUCTS AND RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING [RMFR 451,<sup>1</sup> Amdt. 5]

##### BOOK PAPER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 451 is amended in the following respects:

A new paragraph (g) is added to Appendix B to read as follows:

(g) All other pertinent provisions of this Appendix B shall apply to contract sales of book paper to magazine publishers except that each manufacturer may increase his prices in effect on June 1, 1946 by an amount not to exceed \$1.00 per cwt., *Provided*, (1) That no price may be increased above the following:

Quantities of 1 through 250 tons. Carload spot price.

Quantities of 251 through 1000 tons. Carload spot price less \$0.15 per cwt.

Quantities of 1001 through 5000 tons. Carload spot price less \$0.30 per cwt.

Quantities of 5001 tons or more. Carload spot price less \$0.60 per cwt.

"Carload spot price" as used herein is the price which obtains for sales of the same or most similar grade to merchants in carload quantities under Appendix A.

(2) That if a manufacturer has been granted an individual adjustment in his maximum price by the Office of Price Administration, he may continue to charge the individually adjusted price, or he may charge the price arrived at by adding \$1.00 per hundredweight to the maximum price in effect prior to such adjustment, whichever is the higher, but he shall in no event add the \$1.00 per hundredweight to the individually adjusted price.

This amendment shall become effective June 17, 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10376; Filed, June 17, 1946;  
4:49 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS [MPR 422,<sup>1</sup> Amdt. 74]

##### CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Maximum Price Regulation 422 is amended in the following respects:

A footnote 2 is added to the first paragraph of section 7 (b) to read as follows:

<sup>2</sup> However, for each item of butter and cheddar cheese you may on or after June 17, 1946, figure a new ceiling price immediately upon receipt of a delivery at a "net cost" different from the "net cost" on which

<sup>1</sup> 10 F.R. 8860, 10122, 13128; 11 F.R. 558, 5354.



your existing ceiling price is based. On each Thursday thereafter, you must refigure your ceiling price in accordance with the rules in Section 8. Cheddar cheese means both "cheddar cheese" and "processed cheddar cheese" as defined in 2d Revised Maximum Price Regulation No. 289.

This amendment shall become effective June 17, 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

Approved: June 14, 1946.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-10374; Filed, June 17, 1946;  
4:45 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423, Amdt. 70]

##### CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 1 AND GROUP 2 STORES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Maximum Price Regulation 423 is amended in the following respects:

A footnote<sup>2</sup> is added to the first paragraph of section 7 (b) to read as follows:

<sup>2</sup>However, for each item of butter and cheddar cheese you may on or after June 17, 1946, figure a new ceiling price immediately upon receipt of a delivery at a "net cost" different from the "net cost" on which your existing ceiling is based. On each Thursday thereafter, you must refigure your ceiling price in accordance with the rules in section 8. Cheddar cheese means both "cheddar cheese" and "processed cheddar cheese" as defined in 2d Revised Maximum Price Regulation No. 289.

This amendment shall become effective June 17, 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

Approved: June 14, 1946.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-10375; Filed, June 17, 1946;  
4:45 p. m.]

#### PART 1305—ADMINISTRATION

[SO 148, Amdt. 4]

##### CHAIRS

A statement of the considerations involved in the issuance of this amendment, has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 148 is amended in the following respect:

The following is added to the list of articles, cut-off prices, maximum percentage adjustments, and profit margin factors (percent) in Appendix A:

Article	Cut-off price (to retailers)	Maximum percentage adjustment	Profit margin factor
Chairs, with minimum dimensions (tolerance of 1" in any dimension) and described as follows:			
Finished solid oak diner with round or square posts, 15" by 15" seat and 18" high back	\$2.25	-----	1.6
Finished hardwood, 15" by 15" seat, and 18" high back	1.80	-----	1.6
Unfinished hardwood, 15" by 15" seat, and 18" high back	1.50	-----	1.6
Finished hardwood high chair, 14" by 12" seat and 15" high back	3.00	-----	1.6
Unfinished hardwood high chair, 14" by 12" seat and 15" high back	2.50	-----	1.6
Finished hardwood with straight slat seat 16" by 12" and 17" high back	1.35	-----	1.6
Unfinished hardwood with straight slat seat 16" by 12" and 17" high back	1.20	-----	1.6
Finished hardwood with bent slat seat 16" by 12" and 17" high back	1.50	-----	1.6
Unfinished hardwood with bent slat seat 16" by 12" and 17" high back	1.35	-----	1.6

This amendment shall become effective on the 24th day of June 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10473; Filed, June 18, 1946;  
11:37 a. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 612]

##### PURCHASES OF MILK FOR MANUFACTURING PURPOSES

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.

##### ARTICLE I—SCOPE OF THE REGULATION: DEFINITIONS

###### Sec.

1. Explanation of the regulation.
2. Exempt sales.
3. Geographical applicability.
4. Definitions.

##### ARTICLE II—PRICING PROVISIONS

5. Maximum prices.
6. Customary discounts, allowances and practices.
7. Federal and State taxes.

##### ARTICLE III—GENERAL PROVISIONS

8. Records and reports.
9. Transfer of business or stock in trade.
10. Compliance with this regulation.
11. Petitions for amendment.
12. Adjustable pricing.

AUTHORITY: § 1351.1806 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E. O. 9250, 7 F.R. 7871; E. O. 9328, 8 F.R. 4681, E. O. 9599, 10 F.R. 10155; E. O. 9651, 10 F.R. 13487.

##### ARTICLE I—SCOPE OF THE REGULATION DEFINITIONS

SECTION 1. Explanation of the regulation. Except for those sales exempt un-

der section 2, this regulation establishes maximum prices for purchases of "milk" from producers for use in (a) manufactured dairy and food products, and (b) commercial or industrial milk products.

SEC. 2. Exempt transactions. This regulation shall not apply to the following:

(a) Purchases of fluid milk from producers which are covered in Maximum Price Regulation 329.

(b) Sales and deliveries of fluid milk in glass or paper containers at wholesale or retail as defined and covered under the General Maximum Price Regulation or any regional order issued thereunder.

(c) Sales and deliveries of fluid milk in bulk at wholesale to stores, hotels, restaurants and institutions covered under Maximum Price Regulation No. 280.

SEC. 3. Geographical applicability. The provisions of this regulation apply to the 48 States of the United States of America and the District of Columbia.

SEC. 4. Definitions. When used in this regulation, the term:

(a) "Milk" means liquid cow's milk in a raw, unprocessed state, regardless of whether it meets local and municipal health standards for milk for human consumption in bottled form, purchased from producers in bulk for use in whole or in part in (1) any manufactured dairy or food product, including, but not limited to such products as butter, cheese, evaporated or condensed milk, powdered milk, casein, ice cream, and bakery products and candy, and for use in (2) commercial or industrial products.

(b) "Producer" means a farmer, or other person or representative who owns, superintends, manages, or otherwise controls the operation of a farm on which "milk" is produced. A farmers' cooperative is a producer with regard to all sales of "milk" except "milk" processed by it or for it in a milk receiving or processing plant, owned, leased, or contracted for by the cooperative.

(c) (1) "Purchaser" means any person who buys "milk" from a producer. Each branch, division, subsidiary, affiliate, or portion of a business organization, whether corporate or otherwise, purchasing "milk" from producers in a particular market, as distinguished from purchases or other operations in different markets, is a separate purchaser.

(2) For the purposes of this regulation, "purchaser" includes a farmers' cooperative, whether or not it takes title, with respect to "milk" received by it from a member or non-member producer, which "milk" is processed by it or for it in a milk receiving or processing plant, owned, leased, or contracted for by the cooperative.

(d) "Person" means an individual, corporation, partnership, association, or other organized group of persons, or any legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, any other government, or any of its political subdivisions or agencies.

(e) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency



Price Control Act of 1942, as amended, and the General Maximum Price Regulation, issued by the Office of Price Administration, shall apply to other terms herein.

#### ARTICLE II—PRICING PROVISIONS

**SEC. 5. Maximum prices.** (a) The maximum price for "milk" shall be the average paying price each purchaser of "milk" from a producer paid that producer during the month of November 1945 plus the following amounts:

Where a purchaser customarily buys on a:

(1) Per cwt. basis—40¢ per cwt. for "milk" of 3.5% butterfat content; in addition he may add 1¢ per point for butterfat to his existing butterfat differential over or under the butterfat base upon which he purchases "milk."

(2) Gallonage basis—4¢ per gallon.

(3) Butterfat basis—11.5¢ per lb. butterfat.

(b) If the minimum producer's price for "milk" has been increased under an applicable order, agreement or license issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, that price shall become the maximum price which a purchaser may pay for "milk" under this regulation.

(c) The maximum prices established in paragraph (a) above are subject to the following provisions:

(1) For "milk" of 3.5% butterfat or its equivalent, if delivered in:

(i) Zone I, the purchaser need pay no less than \$3.00 per cwt., and shall not pay more than \$3.20 per cwt.

(ii) Zone II, the purchaser need pay no less than \$3.10 per cwt., and shall not pay more than \$3.30 per cwt.

(iii) Zone III, the purchaser need pay no less than \$3.10 per cwt., and shall not pay more than the maximum price established under this regulation.

(2) The zones designated in subparagraph (1) above are:

**Zone I:** The states of Indiana, Kentucky, Michigan, Ohio, West Virginia, Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, Kansas, Missouri and the following counties in Colorado: Weld, Logan, Sedgwick, Morgan, Washington, Phillips, Yuma, Adams, Denver, Arapahoe, Douglas, Elbert, Lincoln, Kit Carson, Teller, El Paso, Cheyenne, Pueblo, Crowley, Kiowa, Otero, Bent, Prowers, Huerfano, Las Animas, and Baca; the following counties in Wyoming: Sheridan, Campbell, Crook, Weston, Johnson, Natrona, Converse, Niobrara, Carbon, Albany, Platte, Goshen, and Laramie; the following counties in Montana: Liberty, Hill, Blaine, Phillips, Valley, Daniels, Sheridan, Roosevelt, Chouteau, Fergus, McCone, Richland, Dawson, Wibaux, Prairie, Garfield, Petroleum, Judith Basin, Meagher, Broadwater, Wheatland, Golden Valley, Musselshell, Rosebud, Custer, Fallon, Carter, Powder River, Treasure, Big Horn, Yellowstone, Carbon, Stillwater, Sweet Grass, Park, Gallatin and Madison.

**Zone II:** The State of Utah, the remaining portion of Montana, Wyoming, and Colorado not included in Zone I, and the following counties in Idaho: Adams, Valley, Lemhi, Washington, Payette, Gem, Boise, Custer, Clark, Fremont, Teton, Madison, Jefferson, Butte, Blaine, Camas, Elmore, Ada, Canyon, Owyhee, Gooding, Lincoln, Jerome, Twin Falls, Cassia, Minidoka, Power, Oneida, Bannock, Franklin, Caribou, Bonneville, Bingham and Bear Lake.

**Zone III:** The remainder of the United States.

(d) If, during the month of November 1945, a purchaser bought milk meeting local and municipal health standards for human consumption in bottled form, and paid a producer for all such milk an amount equal to the maximum price for fluid milk as established under Maximum Price Regulation No. 329 (Purchases of Milk from Producers for Resale as Fluid Milk) regardless of its ultimate utilization, the purchaser may continue to pay that producer for all of his milk the maximum price established under Maximum Price Regulation No. 329, regardless of its ultimate utilization.

(e) If, during the month of November 1945, a purchaser bought milk meeting local and municipal health standards for human consumption in bottled form, and paid the same price to a producer for all such milk regardless of its ultimate utilization, but such price was below that established under Maximum Price Regulation No. 329, the purchaser shall apply to the Office of Price Administration, Washington, D. C., for a maximum price which he may now pay that producer for the proportion of such milk which is to be used for manufacturing purposes.

(f) If, during the twelve months preceding November 1945 a purchaser of "milk" paid a producer a customary differential or premium for such "milk", depending upon seasonal factors or otherwise, he may continue to pay that customary differential or premium.

(g) If a purchaser did not purchase "milk" from a particular producer during the base period of November 1945, but subsequently purchases from that producer, the maximum price he may pay shall be the average price which any purchaser paid that producer for milk received during the period November 1945, adjusted to reflect customary butterfat differentials plus 40¢ per cwt., or 4¢ per gallon, or 11.5¢ per pound butterfat depending on his customary method of purchase, and subject to the pricing provisions of section 5.

(h) In case a producer did not sell "milk" for use in manufactured dairy or food products or in commercial or industrial products during November 1945, but subsequently makes such sales, the purchaser's maximum price to that producer shall be the average purchasing price the purchaser paid for "milk" received at his plant in November 1945, adjusted to reflect customary butterfat differentials, plus 40¢ per cwt., or 4¢ per gallon, or 11.5¢, depending on his customary method of purchase, and subject to the pricing provisions of section 5.

**NOTE:** In the case of a purchaser who was not engaged in the business of purchasing "milk" for use in manufactured dairy or food products and commercial or industrial milk products during November 1945, and subsequently engages in such business without purchasing an existing establishment, the maximum price at which he may purchase "milk" from producers will be determined under paragraph (g) above in the case of purchases from producers engaged in the production during November 1945 of "milk" for use in manufactured dairy and food products and commercial or industrial milk products, and will be determined under paragraph (h) above in the case of purchases from producers not so engaged.

**Sec. 6. Customary discounts, allowances and practices.** (a) No purchaser shall participate in any change of customary allowances, discounts, price differentials or other trade practices applicable to purchasers made by him if such change results in his paying higher than the maximum price.

(b) No purchaser shall pay a larger proportion of transportation costs incurred in the delivery or supply of "milk" than he paid on deliveries during November 1945, from the particular producer.

**Sec. 7. Federal and State taxes.** Any tax incident to the sale, delivery or processing of any product covered by this regulation, imposed by statute or ordinance of the Federal government or of a State or any of its political subdivisions, shall be treated as follows in determining the maximum price for such product, and in preparing records and reports required by this regulation:

(a) **Transportation tax.** The purchaser may not pay the producer the increase of 3% provided for in the tax on transportation of property imposed by Section 620 of the Revenue Act of 1942, if the maximum price is established f. o. b. the purchaser's processing plant or receiving station, but where the maximum price is established f. o. b. producer's farm or ranch, the buyer may pay the increase of 3% in the tax. Where, however, a producer changes his sales from f. o. b. farm or ranch to f. o. b. processing plant or receiving station, the purchaser may pay the producer the increase of 3% in the tax, but where the change is from f. o. b. processing plant or receiving station to f. o. b. farm or ranch, the purchaser may not pay the producer an amount which exceeds the price f. o. b. processing plant or receiving station minus the full amount of the transportation charges, including the 3% increase in the tax.

(b) **Statement and collection of tax or tax increase.** (1) If a seller during November 1945, did not customarily state and collect the amount of tax separately from the purchase price, he may not now collect such amount in addition to the maximum price.

(2) In all other cases the purchaser may pay the producer the amount of any tax or tax increase which the producer actually pays, *Provided*, The producer separately states and collects it, and *Provided further*, That the statute or ordinance allows him to do so; except that an increase since November 1945, in a tax in effect during that period may be paid by a purchaser to a producer who did not separately state and collect it during November 1945, to the extent of the increase, *Provided*, The producer separately states and collects the amount of such increase, and *Provided further*, That the statute or ordinance allows him to do so.

#### ARTICLE III—GENERAL PROVISIONS

**SEC. 8. Records and reports—(a) Base period records.** Every person who purchases "milk" from a producer shall preserve for examination by the Office of Price Administration, so long as the Emergency Price Control Act of 1942, as



amended, remains in effect, all his existing records relating to prices paid for "milk" received during November 1943, together with the name and address of each producer, and shall prepare, on the basis of available information or records, and keep for examination by the Office of Price Administration a statement showing:

(1) The average price paid each producer for "milk" received during November 1945; and

(2) The customary allowances, discounts, and other price differentials applicable to his own purchases during November 1945.

(b) *Current records.* Every person who purchases "milk" from a producer shall keep and make available for examination by the Office of Price Administration, so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records of the same kind that he customarily kept relating to prices which he paid to producers for "milk" received during and subsequent to November 1945.

(c) *Audit of reports.* The Administrator may approve or disapprove reports filed with him and require any purchaser to correct and resubmit a report which does not comply with reporting requirements.

SEC. 9. *Transfer of business or stock in trade.*—(a) *Purchasers.* If the business, assets or stock in trade of any purchaser subject to this regulation are sold or otherwise transferred on or after November 1945, the maximum prices for purchases by the transferee shall be the same as those to which his transferor would have been subject if no transfer had occurred, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee all records of transaction prior to the transfer which are necessary to enable the latter to maintain records required by the regulation.

(b) *Producers.* If the business, stock in trade, or assets of any producer of "milk" are sold or otherwise transferred after November 1945, the maximum prices which a purchaser may pay the transferee shall be the same as the maximum prices which the purchaser could pay the transferor, as if no transfer had occurred.

SEC. 10. *Compliance with this regulation.*—(a) *Buying above maximum prices.* On or after June 17, 1946, regardless of any contract or obligation, no purchaser in the course of trade or business, shall buy or receive "milk" from any producer at a price higher than the maximum price established in this regulation. Prices lower than the maximum may be paid.

(b) *Evasion.* No person shall evade the maximum prices established under this regulation directly or indirectly, in connection with any commission, service, transportation, or other charge or discount, premium or privilege, tying agreement or trade understanding, or change in any business or trade practice, or in any other way.

SEC. 11. *Petitions for amendment.* Any purchaser seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 12. *Adjustable pricing.* Any purchaser may agree to purchase at a price which may be increased up to the maximum price in effect at the time of delivery. But no person may, unless authorized by the Office of Price Administration, purchase or receive "milk" from producers at prices to be adjusted upwards in accordance with action taken by the Office of Price Administration after delivery.

This regulation shall become effective June 17, 1946.

NOTE: All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

Approved: June 14, 1946.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-10381; Filed, June 17, 1946;  
4:46 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS [MPR 613]

#### CREAM FOR FLUID OR MANUFACTURING PURPOSES

A statement of the considerations involved in the issuance of this regulation has been issued and filed with the Division of the Federal Register.

#### ARTICLE I—SCOPE OF THE REGULATION:

##### DEFINITIONS

##### Sec.

1. Explanation of the regulation.
2. Exempt sales.
3. Geographical applicability.
4. Definitions.

#### ARTICLE II—PRICING PROVISIONS

5. Maximum prices.
6. Where unable to price under section 5.
7. Customary discounts, allowances and practices.
8. Federal and State taxes.

#### ARTICLE III—GENERAL PROVISIONS

9. Records and reports.
10. Sales slips and receipts.
11. Transfer of business or stock in trade.
12. Filing of maximum prices.
13. Compliance with this regulation.
14. Petitions for amendment.

AUTHORITY: § 1351, 1807, 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Law 108, 79th Cong.; E.O. 9250, 7 G. T. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9599, 10 F.R. 10155; E.O. 9651, 10 F.R. 13487.

#### ARTICLE I—SCOPE OF THE REGULATION: DEFINITIONS

SECTION 1. *Explanation of the regulation.* Except for those sales exempt under section 2, this regulation establishes maximum prices for bulk sales of commercially separated cream whether for fluid or manufacturing purposes, and for

resales of farm separated cream to any purchaser, other than a butter manufacturer.

SEC. 2. *Exempt sales.* This regulation shall not apply to the following:

(a) Sales of cream for which maximum prices have heretofore been established under the General Maximum Price Regulation, Supplementary Regulation No. 14A to the General Maximum Price Regulation, Maximum Price Regulation No. 280, or under any authorized regional orders.

(b) Sales of bulk cream separated from whole fluid milk in a market where the fluid milk is subject to an order, agreement or license issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended.

(c) Sales of farm separated cream by the farmer who separates it.

(d) Sales of farm separated cream by a cream station to a manufacturer who processes such cream into butter. However, all other sales of farm separated cream by a cream station or other seller are covered by this regulation.

(e) Sales of cream at a price lower than 63¢ per pound butterfat f. o. b. seller's place of business.

SEC. 3. *Geographical applicability.* The provisions of this regulation apply to the 48 States of the United States of America and the District of Columbia.

SEC. 4. *Definitions.* (a) When used in this regulation, the term:

(1) "Cream" means the fatty liquid or semi-liquid or semi-solid substance whether it is raw, pasteurized or homogenized, separated from liquid cow's milk. It may or may not have been altered after original separation by freezing, by further separation, or by the addition of whole milk, skim milk, or cream. It contains not less than 8% butterfat by weight.

(2) "Same cream" means cream which serves the same general purpose and meets the same quality standards. It has the same general physical form (frozen or unfrozen) and is sold in the same size container.

(3) "Highest price charged during the base period" means the highest price which the seller charged for cream delivered by him during the period from May 1-15, 1946, inclusive, to a purchaser of the same class, or if the seller made no such delivery during such period, his highest offering price for delivery during that period to a purchaser of the same class.

(4) "Cream station" refers to a purchaser of farm separated cream who buys such cream directly from the farmer for resale. Such a purchaser does not process cream.

(5) A "butter manufacturer" is one who churns cream into butter.

(6) "A seller" includes any person (other than a farmer) or processing plant that separates butterfat and skim milk from whole milk and sells the cream thus separated for commercial or fluid purposes. It includes also any person or processing plant that resells commercially separated cream, whether or not the cream is separated by such person or processing plant. "A seller" also includes any person who resells farm separated



cream, other than to a butter manufacturer.

#### ARTICLE II—PRICING PROVISIONS

**SEC. 5. Maximum prices; base period.** (a) the maximum price for sales of cream covered by this regulation, by a seller, is the highest price per pound butterfat charged by the seller during the base period May 1-15, 1946, inclusive, f. o. b. the seller's place of business, to a purchaser of the same class for the same cream.

(b) *Sales by a handler other than the first seller.* The maximum price for sales of cream by a handler, purchased by him from the first seller, shall be the actual price per lb. butterfat paid by such handler to the first seller, plus such handler's customary mark-up during the period May 1-15, 1946, on his sales to a purchaser of the same class for the same cream. The maximum price of all subsequent handlers shall be their suppliers' maximum price.

(c) *Sales in more than one container size.* Where a seller made base period sales in more than one container size, and the price per pound butterfat differed between container sizes, the seller shall maintain his base period price for each container size as his maximum price.

(d) The maximum prices established in paragraphs (a) and (c) above are subject to the provisions of Table A below:

TABLE A

(1) Cream per pound of butterfat. F. o. b. seller's place of business:

Lowest maximum price	Overriding maximum price
Zone I, 63 cents	77 cents
Zone II, 63 cents	77 cents plus carload freight differential from Chicago

(2) The zones designated in Table A of this section are:

**Zone I**—The states of Indiana, Kentucky, Michigan, Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, Kansas, Missouri and the following counties in Colorado: Weld, Logan, Sedgwick, Morgan, Washington, Phillips, Yuma, Adams, Denver, Arapahoe, Douglas, Elbert, Lincoln, Kit Carson, Teller, El Paso, Cheyenne, Pueblo, Crowley, Kiowa, Otero, Bent, Prowers, Huerfano, Las Animas, and Baca; the following counties in Wyoming: Sheridan, Campbell, Crook, Weston, Johnson, Natrona, Converse, Niobrara, Carbon, Albany, Platte, Goshen, and Laramie; the following counties in Montana: Liberty, Hill, Blain, Phillips, Valley, Daniels, Sheridan, Roosevelt, Chouteau, Fergus, McCone, Richland, Dawson, Wibaux, Prairie, Garfield, Petroleum, Judith Basin, Meagher, Broadwater, Wheatland, Golden Valley, Musselshell, Rosebud, Custer, Fallon, Carter, Powder River, Treasure, Big Horn, Yellowstone, Carbon, Stillwater, Sweet Grass, Park, Gallatin and Madison.

**Zone II**—The remainder of the United States.

**SEC. 6. When unable to price under section 5.** (a) Where a seller is unable to price under section 5 above, he shall file an application with the Office of Price Administration, Washington, D. C., requesting approval of a proposed maximum price. The Price Administrator may, by written order, disapprove or revise any proposed maximum price reported so as to bring it into line with

the level of maximum prices otherwise established by this regulation.

(b) No sale of cream for which a maximum price is proposed under this paragraph may be made until the price has been approved by the Price Administrator. The proposed price shall be deemed to be approved 30 days after mailing the application subject to the pricing provisions of Table A in section 5 (d) above (or 30 days after mailing all information required to complete the application) unless, within that time, the Office of Price Administration notifies the seller that his proposed price has been disapproved or revised.

(c) The application shall set forth the following:

(1) Name and location of the applicant;

(2) Complete description of the cream to be priced, including a statement of the butterfat content; and a statement of the seller's method of business, i. e., whether he himself separates cream or is a handler.

(3) Description of the market or markets where the cream is to be sold and delivered.

(4) The method used in figuring the proposed maximum price; and

(5) Reasons why he believes the proposed maximum price is in line with the level of maximum prices otherwise established pursuant to this regulation.

(6) The Price Administrator may at any time modify, amend, or revoke subject to the prior written approval of the Secretary of Agriculture, when such approval is required by law, any maximum price for cream covered by this regulation established under this regulation.

**SEC. 7. Customary discounts, allowances and practices.** (a) No seller shall change any trade practice, or any customary discount, allowance or other price differential to a purchaser or class of purchasers, if the change results in a price higher than the maximum price established for that purchaser or class of purchasers.

(b) *Brokerage fees.* Each broker shall be considered as the agent of the seller and not the agent of the buyer. In each case, the amount paid by the buyer to the seller plus any amount paid by the buyer to the broker shall not exceed the seller's maximum price.

(c) No seller whose maximum price is f. o. b. purchaser's plant shall charge a larger proportion for transportation costs incurred in the delivery of cream than he charged to a purchaser or class of purchasers during the base period.

**SEC. 8. Federal and State taxes.** Any tax incident to the sale, delivery or processing of any product covered by this regulation, imposed by statute or ordinance of the Federal government or of a State or any of its political subdivisions, shall be treated as follows: in determining the maximum price for such product, and in preparing records and reports required by this regulation:

(a) *Transportation tax.* The seller may not collect the increase of 3% provided for in the tax on transportation of property imposed by Section 620 of the

Revenue Act of 1942, if his maximum price is established f. o. b. the purchaser's premises or place of business; but where the maximum price is established f. o. b. seller's place of business, the buyer may pay the increase of 3% in the tax. Where, however, a seller changes his sales from f. o. b. seller's place of business to f. o. b. purchaser's premises or place of business, he may collect the increase of 3% in the tax from the purchaser; but where he changes his sales from f. o. b. purchaser's premises or place of business to f. o. b. seller's place of business, he must deduct from his price f. o. b. purchaser's premises or place of business the full amount of transportation charges including the 3% increase in tax.

(b) *Statement and collection of tax or tax increase.* (1) If a seller during the base period did not customarily state and collect the amount of tax separately from the purchase price, he may not now collect such amount in addition to the maximum price.

(2) In all other cases any seller may collect the amount of any tax or tax increase which he actually pays, *Provided*, He separately states and collects it, and *Provided further*, That the statute or ordinance allows him to do so; except that an increase since the base period in a tax in effect during that period may be collected by a seller who did not separately state and collect it during the base period, to the extent of the increase, *Provided*, The seller separately states and collects the amount of such increase, and *Provided further*, That the statute or ordinance allows him to do so.

#### ARTICLE III—GENERAL PROVISIONS

**SEC. 9. Records and reports.**—(a) *Base period records.* Each seller shall:

(1) Collect and thereafter keep for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all his existing records relating to prices for cream delivered or offered for delivery during the period May 1-15, 1946 inclusive, and

(2) Prepare and thereafter keep for examination by any person during ordinary business hours (unless already prepared and kept for examination), for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, a statement on the basis of available information and records showing:

(i) The highest prices which he charged for cream delivered or offered for delivery during the period May 1-15, 1946, inclusive, together with an appropriate description and identification of such cream, and

(ii) All his customary allowances, discounts, and other price differentials.

(3) Any person, instead of making the statement in subparagraph (2) above available to any person, may file it with the District Office of the Office of Price Administration within the geographical jurisdiction where the major portion of his sales of cream are made. The information will not be publicized or disclosed unless it is contrary to the purposes of this regulation to withhold it.

(b) *Current records.* Each seller shall make and preserve for examination by



the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, all records of the same kind as he customarily kept, relating to prices now being charged and those charged for cream during the period from May 1-15, 1946, inclusive, and, in addition, records showing as precisely as possible the basis upon which he determined such prices, together with an appropriate description and identification of such cream.

**Sec. 10. Sales of slips and receipts.** Any seller who has customarily given a purchaser a sales slip or similar receipt shall continue to do so. Upon request from the purchaser, any seller, regardless of previous custom, shall give the purchaser a receipt showing the date, the name and address of the seller, and amount of cream sold and the price received for it.

**Sec. 11. Transfer of business or stock in trade.** If the business, assets or stock in trade of a seller are sold or otherwise transferred after the base period, and the transferee carries on the business or continues to deal in cream in the same competitive area and in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee for cream sold from such separate establishment shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with this regulation.

**Sec. 12. Filing of maximum prices.** Within 10 days after the first sale of cream covered by this regulation each seller shall file with the appropriate District Office a statement showing his maximum prices, the basis upon which he determined it, and an appropriate description and identification of his product, or products, including the trade name, if any.

**Sec. 13. Compliance with this regulation—(a) Selling or buying above maximum prices.** Regardless of any contract or obligation, no person shall sell or deliver, or buy or receive in the course of trade or business, cream at a price higher than the maximum price established under this regulation. Prices lower than the maximum price may be charged and paid. This paragraph shall not apply to purchases by war procurement agencies in the United States and others exempted under Supplementary Order No. 7, issued by the Office of Price Administration.

(b) *Evasion.* No person shall exceed a maximum price directly or indirectly, whether by commission, brokerage fees, service, transportation charges, or other charge or discount, premium or other privilege, tying agreement or other trade understanding, any business practice re-

lating to labeling or packaging, or in any other way, including but not limited to:

(1) Reducing the quality of cream without a corresponding reduction in the established maximum price; or

(2) Compelling a person purchasing a given quantity of cream to accept delivery in the form of two or more smaller containers mixes at the higher prices applicable to such sizes.

(c) *Penalties; actions and suits; damages.* Any person violating a provision of this regulation is subject to the criminal penalties, civil enforcement actions, license suspension provisions, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(d) *Licensing.* The provisions of Licensing Order No. 1,<sup>1</sup> licensing all persons who make sales under price control are, applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

**Sec. 14. Petitions for amendment.** Any person seeking a general modification of this regulation may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 issued by the Office of Price Administration.

**Effective date.** This Maximum Price Regulation No. 613 shall become effective June 17, 1946.

**NOTE.** All record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

Approved: June 14, 1946.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-10382; Filed, June 17, 1946;  
4:46 p. m.]

#### PART 1377—WOODEN CONTAINERS

[MPR 520, Amdt. 2]

##### WEST COAST COOPERAGE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 520 is amended as follows:

1. Section 3, is amended to read as follows:

**Sec. 3. Maximum prices—(a) West Coast cooperage stocks.** The maximum prices, f. o. b. producing mill or railhead, for West Coast cooperage stock are those contained in the following tables:

<sup>1</sup> 8 F.R. 13240.

TABLE I—TIGHT STAVES, DRUM SAWN, KILN DRIED  
PLANED ONE SIDE, JOINTED, BUNDLED

[Per bilge inch—f. o. b. stave mill]

Length.....	31" thru 35"	26" to 31"	22" to 26"	18" to 22"	14" to 18"	Under 14"
Thickness:	Dol.	Dol.	Dol.	Dol.	Dol.	
1"	0.02338					
1 1/4"	.02162					
1 1/2"	.01980					
1 3/4"	.01800					
2"	.01810	0.01584	0.01222			
2 1/4"		.01507	.01172			
2 1/2"			.01109	0.01012		
2 3/4"			.01045		0.00779	
3"						

TABLE II—TIGHT HEADING, KILN DRIED, PLANED ONE  
SIDE, JOINTED, DOWELED AND FLAGGED, CIRCLED

[Per set f. o. b. heading mill]

Diameter.....	19" thru 21"	16" to 19"	13" to 16"	11" to 13"	8" to 11"
Thickness:					
1 1/4"	\$0.713				
1 1/2"	.692	\$0.455			
1 3/4"	.672	.441			
2"		.427			
2 1/4"		.413	\$0.263		
2 1/2"			.254	\$0.221	\$0.175
2 3/4"		.384			
3"					.169

TABLE III—SLACK STAVES, DRUM SAWN, KILN DRIED,  
JOINTED, BUNDLED

[Per bilge inch—f. o. b. stave mill]

Number 1		Length	Number 2	
3/16"	3/8"		3/16"	3/8"
\$0.01370		32" through 34"	\$0.01001	
.01287	\$0.01161	29" to 32"	.00950	\$0.00859

TABLE IV—SLACK HEADING, KILN DRIED, JOINTED,  
PLANED ONE SIDE, GLUED OR TONGUE AND  
GROOVED, CIRCLED, BUNDLED

[Per set—f. o. b. heading mill]

Size	20" thru 21"	10" to 20"	18" to 19"	17" to 18"
5/8"	\$0.457			
3/4"		\$0.418		\$0.389
1"	.413	.396		
1 1/4"		.374	\$0.363	

(b) *West Coast cooperage.* (1) The maximum prices, f. o. b. producing mill or railhead, for West Coast cooperage produced in the states of Washington, Oregon and California shall be the sum of the following:

(i) Maximum f. o. b. mill price of staves and heads; and

(ii) Maximum prices for hoops and extra materials or services priced under this regulation. (See table below.)

(iii) Mark-ups as follows:

##### TIGHT COOPERAGE

40 to 55 gallon.....	\$1.35
20 to 40 gallon.....	1.02
13 to 20 gallon.....	.74
8 to 13 gallon.....	.71
Under 8 gallon.....	.53

##### SLACK COOPERAGE

Staves 30" through 34" with heads	
17" through 21".....	.68

(2) Maximum prices for extra materials and services in cooperage are as follows:



TABLE V—EXTRA CHARGES ON COOPERAGE

Hoops	Over 20 gal. through 50 gal. per hoop	20 gal. and under, per hoop		
Tight cooperage:				
16 gauge.....	\$0.087	\$0.044		
17 gauge and less.....	.076	.038		
Galvanized, add.....	.044	.022		
Hoops	Head size			
	17" thru 21"	13" to 17"	Under 13"	
Slack cooperage:				
19 gauge and heavier (beaded and flat).....	\$0.054	\$0.044	\$0.033	
20 gauge and lighter (beaded and flat).....	.044	.033	.022	
Wood hoops.....	.033	.033	.022	
Linings	Over 20 gallon		20 gallon and under	
	First coat	Second coat (in- cluding hoop driv- ing)	First coat	Second coat (in- cluding hoop driv- ing)
Lining:				
Silicate of soda.....	\$0.05	\$0.15	\$0.02½	\$0.07½
Paraffin or asphalt.....	.15	.10	.07½	.05
Glue.....	.15	.25	.07½	.12½
Miscellaneous		Over 20 gallon	20 gallon and under	
Varnishing barrels.....		\$0.10	\$0.05	
Painting barrels, one color.....		.15	.07½	
Painting barrels, two colors.....		.20	.10	
All size barrels				
Varnishing hoops, per hoop.....		\$0.00½		
Vent holes, per barrel.....		.01½		
Boring any holes other than one bung and vents:				
2" and less, per hole.....		.02		
Over 2" through 3", per hole.....		.03		
Over 3" through 4", per hole.....		.06		
Over 4", per hole.....		.07½		
Hoop fasteners (3 to each hoop), per barrel.....		.05		
Branding (hot), per barrel.....		.05		
Bung strap, each.....		.01		

This amendment shall become effective on June 24, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10455; Filed, June 18, 1946;  
11:40 a. m.]

#### PART 1389—APPAREL

[MPR 605, Amdt. 2]

#### MANUFACTURERS' PRICES FOR SHIRTS, SHORTS, PAJAMAS AND RELATED ITEMS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Maximum Price Regulation 605 is amended in the following respects:

1. The second undesignated paragraph of section 3 (a), preceding the "Form to be used in obtaining the general division factor (Form I)", is amended to read as follows:

The form below (Form I) and the accompanying instructions give you

specific directions how to calculate a "general division factor" based upon your own past experience. From your 1943 profit and loss statement, you find a division factor for your items covered by this regulation. Then you increase this division factor by one-tenth of the difference between it and 100% (except that if 75% or more of your net sales during 1943 were made to individual ultimate consumers, you increase this division factor by one twenty-fifth of the difference between it and 100%). The resultant figure is your general division factor under the regulation.

2. An asterisk (\*) is added before the numeral "5" in line 5 of Form I, which follows the second undesignated paragraph of section 3 (a).

3. The second paragraph of Instruction No. 2 to the form in section 3 (a) is amended to read as follows:

Materials and trimmings may be valued according to any accepted accounting method of inventory valuation you ordinarily use. (Enter your method of valuation at the top of the form.) Deduct all discounts received. If your operations in 1943 were integrated (i. e., if you fabricated or processed any materials used in the items which you manufactured) you must value such materials as follows:

(a) For wool or part-wool fabrics (containing 25% or more of wool fibre by weight), value such materials at the actual net cost of the elements which entered into their fabrication (e. g., wool or wool tops, dyeing, spinning, weaving).

(b) For all other fabrics:

(1) If you purchased the fabric in the greige and then finished it (or had it finished by another), value such materials at the actual invoice cost of the greige goods plus the actual finishing cost.

(2) If you fabricated the greige goods, value such material by adding the actual finishing cost to the maximum prices which you could have charged for the greige goods under the terms of the price schedules and maximum price regulations of the Office of Price Administration in effect on July 1, 1943.

4. In the instructions to Form I, which follows the second undesignated paragraph of section 3 (a), Instruction No. 5 is added after Instruction No. 2, to read as follows:

5. If during 1943 75% or more of your net sales of items covered by the regulation were made to individual ultimate consumers, take ½ of the entry in line 4 instead of ¼.

5. The table in section 7 (c) is amended to read as follows:

Group No.	Temporary division factor for sales to wholesalers, chain stores, <sup>1</sup> and mail-order houses	Temporary division factor for sales to all other purchasers (except sales to individual ultimate consumers)	Temporary division factor for sales to individual ultimate consumers
1.....	0.781	0.721	0.511
2.....	.808	.748	.529
3.....	.762	.702	.500
4.....	.748	.688	.491
5.....	.781	.721	.511
6.....	.745	.685	.488
7.....	.767	.707	.503
8.....	.753	.693	.493
9.....	.793	.733	.519

<sup>1</sup> For purposes of this section a "chain store" is an organization of four or more stores owned and operated jointly, maintaining a centralized buying office, with total annual sales of \$4,000,000 or more; or such an organization of eight or more stores regardless of the volume of sales.

6. A note is added to paragraph (e) of Appendix A following Group No. 9 to read as follows:

NOTE: Two-piece pajamas which have a knitted top are not covered by this regulation if sold by a person who knitted the top to shape.

7. In the third undesignated paragraph of paragraph (b) of Appendix D, Rule 2 is amended to read as follows:

Rule 2. For any group of items, the same construction and finish of material may not be listed on more than one Form III.

8. A sentence is added at the end of Step 1 (a) in paragraph (b) (1) of Appendix D to read as follows: "If you have on inventory materials received prior to October 1, 1945, include yardage of such materials."

9. The second paragraph of footnote 16, which relates to Step 1 (a) in paragraph (b) (1) of Appendix D, is amended to read as follows:

If your operations are integrated (i. e., if you fabricate or process any material used in the garments which you manufacture):

(1) For wool or part-wool fabrics (containing 25% or more of wool fibre by weight), net cost means the actual net cost of the elements which entered into the fabrication of the materials (e. g., wool or wool tops, dyeing, spinning, weaving). The cost of these elements must not exceed the net maximum prices established for them under the terms of the Office of Price Administration price schedules and maximum price regulations operative on the effective date of this regulation. Moreover, if your operations were integrated in 1943, the same elements of cost must be included in this valuation as were included in determining material cost under section 3.

(2) For all other fabrics:

(i) If you purchased the fabric in the greige and then finished it (or had it finished by another), net invoice cost means the sum of the actual finishing cost plus the invoice cost (after deducting all discounts available), for the greige goods (but in no event shall the invoice cost of the greige goods exceed the maximum price in effect on January 1, 1946).

(ii) If you fabricated the greige goods, net invoice cost means the sum of the actual finishing cost plus the net maximum price which you could have charged for such greige goods under the terms of the Office of Price Administration price schedules and maximum price regulations in effect on January 1, 1946, had you sold it to a converter.

10. Subdivision (iii) of paragraph (d) (2) of Appendix D is redesignated paragraph (d) (3) and is amended to read as follows:

(3) *Contractors' services.* For items fabricated by a contractor, figure as direct labor cost an amount equal to 80% of the contractor's net service charge for direct labor, markup on direct labor and trim furnished by the contractor. If the contractor's charge has been increased, to reflect a wage increase granted since August 18, 1945, you must subtract the amount attributable to the wage increase and take 80% of the reduced figure.

11. A new subparagraph (4) is added to paragraph (d) of Appendix D to read as follows:

(4) *"Same item" fabricated at different labor costs.* If the same item is fabricated both in your own plant and by a contractor, or is fabricated by two or more contractors, or is fabricated in two or more of your own plants, you may combine the direct labor

<sup>1</sup> 10 F.R. 15115; 11 F.R. 350.



costs of the item and obtain a weighted average cost. To do this, weight each direct labor cost by your estimated production from each source during the next three months period. At the end of that period you must reweight by your actual production during the period, and, if the actual weighted average direct labor cost is less than 98% of the estimated weighted average cost, you are in violation of the regulation. The amount of overcharge is the difference between the total dollar amount which you actually charged and the total dollar amount which you could have charged had your maximum prices been based on the actual weighted average direct labor cost. For each three months period, you must follow the same procedure.

This amendment shall become effective June 24, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10467; Filed, June 18, 1946;  
11:41 a. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS

[RMPR 373, Amdt. 89 (§ 1418.151)]

##### POULTRY AND MEAT IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 373 is amended in the following respects:

1. Section 16 (a) is amended by adding a new subparagraph (3) to read as follows:

(3) *Exempt sales.* The following sales are exempt from the provisions of this section.

(i) All sales and purchases of "baby" or "started" chicks, ducklings, goslings and poults when sold for purposes other than present human consumption.

(ii) All sales and purchases of breeding poultry sold to any purchaser who certifies in writing to the seller that he is a farmer or producer, purchasing the poultry for breeding purposes only, or is a person engaged in the business of distributing breeding poultry to farmers or producers. The certificate must also contain the name and business address of the purchaser and date of the sale and shall be retained by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(iii) All sales and purchases of female poultry sold to a farmer or producer who certifies in writing to the seller that he is a farmer or producer purchasing the poultry for the sole purpose of egg production, or is a person engaged in the business of distributing poultry to be used for egg production to farmers or producers. The certificate must also contain the name and business address of the purchaser and the date of the sale and shall be retained by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

2. In section 16, Table A, is amended by changing item numbered (6) and by adding three new items numbered (25), (26) and (27) and footnote (5) to read as follows:

	Maximum margin on case lots, per lb. net wt.	Maximum margin on less than case lots, per lb. net wt.
(6) Fabricated beef cuts:		
(a) To purveyors of meals only.....	\$0.03	\$0.03
(b) To retailers.....	.02 $\frac{1}{4}$	.02 $\frac{1}{4}$
(25) Ground beef or hamburger (to retailers).....	.02 $\frac{1}{4}$	.02 $\frac{1}{4}$
(26) Ground beef or hamburger (to purveyors of meals only).....	.03	.03
(27) Locally prepared ground beef or hamburger made from mainland beef.....	( <sup>5</sup> )	( <sup>5</sup> )

<sup>5</sup> The maximum wholesale price for locally prepared ground beef or hamburger made from mainland beef shall be \$0.31 $\frac{1}{4}$  per lb.

3. Section 16 (m) is amended by adding a new subparagraph (4) to read as follows:

(4) The maximum prices for sales by producers of Island poultry, rabbits and eggs to any person other than an ultimate consumer shall be the maximum prices set forth in Tables P and Q of this section.

4. In section 16, Table O is amended by adding a new item to read as follows:

	Beef
Ground beef or hamburger.....	\$0.27

5. In section 16, Tables P and Q are amended by changing the titles of such tables to read as follows:

TABLE P—MAXIMUM PRICES FOR ISLAND POULTRY AND RABBITS SOLD BY WHOLESALERS

TABLE Q—MAXIMUM PRICES FOR ISLAND EGGS SOLD BY WHOLESALERS

6. In section 17, paragraph (b) (1) is deleted, paragraph (b) (2), (3) and (4) are redesignated paragraph (b) (1), (2) and (3), respectively, and new paragraphs (h) and (i) are added to read as follows:

(h) The maximum prices for sales by producers to ultimate consumers of Island poultry, rabbits and eggs shall be the maximum prices set forth in Tables F and H of this section. Any producer making a sale to an ultimate consumer must furnish the purchaser with an invoice or receipt showing the date of sale; weight and/or number of product sold; the price charged or received; and the name and address of the purchaser. A duplicate of such invoice or receipt must be kept and made available for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended remains in effect.

(i) *Exempt sales.* The following sales are exempt from the provisions of this section.

(1) All sales and purchases of "baby" or "started" chicks, ducklings, goslings and poults when sold for purposes other than present human consumption.

(2) All sales and purchases of breeding poultry sold to any purchaser who

certifies in writing to the seller that he is a farmer or producer, purchasing the poultry for breeding purposes only, or is a person engaged in the business of distributing breeding poultry to farmers or producers. The certificate must also contain the name and business address of the purchaser and date of the sale and shall be retained by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(3) All sales and purchases of female poultry sold to a farmer or producer who certifies in writing to the seller that he is a farmer or producer purchasing the poultry for the sole purpose of egg production, or is a person engaged in the business of distributing poultry to be used for egg production to farmers or producers. The certificate must also contain the name and business address of the purchaser and the date of the sale and shall be retained by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

8. Section 18 (a) is amended by adding a new subparagraph (4) to read as follows:

(4) *Exempt sales.* The following sales are exempt from the provisions of this section.

(i) All sales and purchases of "baby" or "started" chicks, ducklings, goslings and poults when sold for purposes other than present human consumption.

(ii) All sales and purchases of breeding poultry sold to any purchaser who certifies in writing to the seller that he is a farmer or producer, purchasing the poultry for breeding purposes only, or is a person engaged in the business of distributing breeding poultry to farmers or producers. The certificate must also contain the name and business address of the purchaser and date of the sale and shall be retained by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(iii) All sales and purchases of female poultry sold to a farmer or producer who certifies in writing to the seller that he is a farmer or producer purchasing the poultry for the sole purpose of egg production, or is a person engaged in the business of distributing poultry to be used for egg production to farmers or producers.

The certificate must also contain the name and business address of the purchaser and the date of the sale and shall be retained by the seller for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

This amendment shall become effective as of April 10, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10449; Filed, June 18, 1946;  
11:38 a. m.]



PART 1418—TERRITORIES AND POSSESSIONS  
[RMPR 373, Amdt. 90 (§ 1418.151)]

SOFTWOOD IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 50 (c) (1) is amended to read as follows:

(1) All changes in the f. o. b. mill ceiling prices (on which the prices established herein are built) shall become effective in the Territory of Hawaii sixty days after the effective date set forth in any amendment or revision of any maximum price regulation referred to in paragraph (a) of this section. For example, if the ceiling price of No. 1 Common 2 x 4—16' Douglas Fir under Revised Maximum Price Regulation 26 should be changed as of May 1, 1946, that changed price will be used in building up the distribution yard maximum price under this Section 50 for sales and deliveries commencing June 30, 1946.

This amendment shall become effective as of April 25, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10450; Filed, June 18, 1946;  
11:38 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[RMPR 373, Amdt. 91 (§ 1418.151)]

DRESSED POULTRY IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The definition of "Dressed Poultry" contained in Table F of section 17 of Revised Maximum Price Regulation 373 is amended to read as follows:

**Definition.** "Dressed Poultry" is poultry which has been killed, bled, and plucked. No additional charge shall be made for drawing or otherwise preparing dressed Island poultry.

This amendment shall become effective as of May 3, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10451; Filed, June 18, 1946;  
11:39 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[RMPR 373, Amdt. 93 (§ 1418.151)]

GROCERY ITEMS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

No. 119—4

Table A of section 39 of Revised Maximum Price Regulation 373 is amended in the following respects:

1. The prices listed for the items set forth below are revised to read as follows:

Comm. Class. No.	Grocery item	Ceiling price
18	Prunes, Del Monte, medium, dried, 2 lbs.	\$0.34
19	Apple cider, Martinelli, 1 gal.	1.13
29	Apple cider, Martinelli, 1 qt.	.33
31	Sweet mixed pickles, Del Monte, 12 oz.	.32
31	Jane Peck apricot preserves, 1 lb. gl.	.33
40	Jane Peck raspberry preserves, 1 lb. gl.	.36
	Old Dutch cleanser, 14 oz. can.	.10

2. In Commodity Classification No. 1, all items listed under the commodity heading "Heinz Baby Food, Strained, 4½ oz. can" are deleted and such commodity heading is amended to read as follows:

Heinz Baby Food, strained, all varieties, 4½ oz. can. \$0.09

3. The following items are deleted from Commodity Classification No. 4:

"Arm and Hammer Baking Soda, 1 lb." and  
"Arm and Hammer Baking Soda, ½ lb."

4. Commodity Classification No. 23 is amended to read as follows:

Comm. Class. No.	Grocery item	Ceiling price
	<i>Milk products</i>	
23	A voset light cream, ½ pt.	\$0.27
	Eagle condensed milk, 14 oz. can.	.25
	Evaporated milk, all brands:	
	48/14½ oz. cans.	5.66
	1/14½ oz. can.	.13
	96/6 oz. cans.	.63
	4/6 oz. cans.	.25
	1/6 oz. can.	.07
	Klim powdered milk:	
	5 lb. can.	3.46
	1 lb. can.	.80

5. In Commodity Classification No. 32, the commodity heading "California Rice, all grades" is amended to read: "California Rice, all grades, white milled or brown, unprocessed."

6. Commodity Classification No. 50 is amended to read as follows:

Comm. Class. No.	Grocery item	Ceiling price
	<i>Shortening and lard</i>	
50	Crisco, 3 lb. gl.	\$0.88
	Crisco, 1 lb.	.31
	Showdrift, 3 lb. gl.	.88
	Showdrift, 1 lb.	.32
	Spry, 3 lb. tin.	.84
	Spry, 1 lb.	.31

This amendment shall become effective as of May 31, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10453; Filed, June 18, 1946;  
11:39 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS  
[RMPR 373, Amdt. 94 (§ 1418.151)]

EGGS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 373 is amended in the following respects:

1. Table Q of section 16 is amended to read as follows:

TABLE Q—MAXIMUM PRICES FOR ISLAND EGGS SOLD BY WHOLESALERS

ALL ISLANDS					
	Minimum net weight per dozen (ounces)	Minimum net weight per 30 dozen (pounds)	Minimum net weight for individual eggs at rate per dozen (ounces)	Maximum price per dozen (cartoned)	Maximum price per dozen (loose)
Shell eggs:					
Large.	24	45	23	\$0.78	\$0.76
Medium.	21	40	20	.72	.70
Small.	18	34	15	.55	.53

2. Table H of section 17 is amended to read as follows:

TABLE H—ISLAND EGGS AT RETAIL  
ALL ISLANDS

Commodity	Minimum net weight per dozen (ounces)	Minimum net weight per 30 dozen (pounds)	Minimum net weight for individual eggs at rate per dozen (ounces)	Maximum price per dozen (cartoned)	Maximum price per dozen (loose)
Shell eggs:					
Large.	24	45	23	\$0.85	\$0.83
Medium.	21	40	20	.79	.77
Small.	18	34	15	.61	.59

This amendment shall become effective as of May 15, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10454; Filed, June 18, 1946;  
11:40 a. m.]

PART 1499—COMMODITIES AND SERVICES  
[GMPR, Amdt. 67]

TIE-IN SALES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

The General Maximum Price Regulation is amended in the following respect:

In section 2, under the center heading "Highest Price Charged during March, 1942", a new sentence is added in the undesignated paragraph which now reads, "No seller shall evade any of the provisions of this General Maximum Price Regulation by changing his cus-



toinary allowances, discounts or other price differentials", as follows: "No seller shall require a buyer, as a condition of the sale of a commodity or service, to make an additional purchase except to the extent that the seller uniformly imposed the same condition (identical as to the commodities or services tied together and as to the relative amounts of the two commodities or services) during March 1942."

This amendment shall become effective on the 24th day of June 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10430; Filed, June 18, 1946;  
11:36 a. m.]

PART 1499—COMMODITIES AND SERVICES  
[RMPR 165, Amdt. 7 to Supp. Service Reg. 50]

LAUNDRY AND DRY CLEANING SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.648, paragraph (c) is amended in the following respect:

A new subparagraph (9) is added thereto to read as follows:

(9) The Regional Administrator for Region VIII, and any District Director authorized to act by the Regional Administrator having jurisdiction over his district, may issue general area orders establishing maximum prices for laundry and dry cleaning services. Orders under this subparagraph (9), (and any change in or revocation of such orders) by Regional Administrators or District Directors must be cleared with the Service Trades Branch, OPA, Washington, D. C., before issuance.

This amendment shall become effective June 24, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10435; Filed, June 18, 1946;  
11:37 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[RMPR 289, Amdt. 55]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 289 is amended in the following respects:

<sup>1</sup> 10 F.R. 2252, 2658, 2928, 3554, 3948, 3950, 5772, 6232, 7340, 7852, 9084, 11809, 12651, 12957, 12989, 13216, 13592 14737; 11 F.R. 175, 244, 712, 840, 1405, 1670, 2088, 2043, 2516, 2826, 3396, 3596, 4585, 4918, 5597.

1. Section 15a is amended by adding a paragraph at the end thereof to read as follows:

Any manufacturer having a maximum base price established by letter order issued on or before June 17, 1946 under the provisions of this section 15a for a cheddar cheese product which would otherwise be priced under the provisions of section 19 may add 5 cents per pound to the maximum prices established by such letter order for sales of the cheddar cheese product.

2. Section 19 is amended in the following respects:

a. Paragraph (a) is amended by deleting therefrom Table B and substituting therefor the following:

TABLE B

	Maximum price (cents per pound)	
	For cheddars, twins and larger styles	For flats
33.2% or less.....	31.03	31.28
Over 33.2% but not over 33.7%.....	30.80	31.05
Over 33.7% but not over 34.2%.....	30.57	30.82
Over 34.2% but not over 34.7%.....	30.33	30.58
Over 34.7% but not over 35.2%.....	30.10	30.35
Over 35.2% but not over 35.7%.....	29.87	30.12
Over 35.7% but not over 36.2%.....	29.64	29.89
Over 36.2% but not over 36.7%.....	29.41	29.66
Over 36.7% but not over 37.2%.....	29.18	29.43
Over 37.2% but not over 37.7%.....	28.94	29.19

b. Paragraph (p) (1) is amended by deleting therefrom Table L and substituting therefor the following:

TABLE L

Moisture content	Maximum price (cents per pound)	
	For cheddars, twins and larger styles	For flats
33.2% or less.....	35.15	35.40
Over 33.2% but not over 33.7%.....	34.88	35.13
Over 33.7% but not over 34.2%.....	34.62	34.87
Over 34.2% but not over 34.7%.....	34.36	34.61
Over 34.7% but not over 35.2%.....	34.10	34.35
Over 35.2% but not over 35.7%.....	33.84	34.09
Over 35.7% but not over 36.2%.....	33.58	33.83
Over 36.2% but not over 36.7%.....	33.32	33.57
Over 36.7% but not over 37.2%.....	33.05	33.30
Over 37.2% but not over 37.7%.....	32.79	33.04

c. A new paragraph (q) is added to read as follows:

(q) *Additions to maximum prices for cheddar cheese.* The table prices established by the preceding paragraphs (a) through (p) of this section 19 are increased by 5 cents per pound except that sales of low-moisture cheddar cheese described in paragraph (a) (2) may be made at prices not to exceed those maximum prices set out in either Table B or Table L, whichever is applicable.

3. Section 20 is amended in the following respects:

a. A new paragraph is added to read as follows:

(p) *Monthly adjustments in maximum prices.* The table prices set out in paragraphs (a) (2) (i) through (xii) of this

section 20 may be increased in the amounts set out below for deliveries of butter during the months named:

Month:	Increase, cents per pound
August.....	3/8
September.....	3/4
October.....	11/8
November.....	11/4
December.....	13/8
January.....	11/2

During the remaining six months of the year no such increases may be made.

b. A new paragraph (q) is added to read as follows:

(q) *Additions to maximum prices for butter.* The table prices established by paragraphs (a) (2) (i) through (xii) of this section 20 are increased by 10 cents per pound.

4. Section 21 is amended in the following respects:

a. Table A in paragraph (a) (1) (i) is amended to read as follows:

(a) To the United States Government or any agency thereof:

If delivered in—	Carton of 48 14½-oz. cans	Carton of 48 13-oz. cans	Carton of 48 6-oz. cans	Carton of 96 6-oz. cans	Carton of 6 8-lb. cans
	Per carton	Per carton	Per carton	Per carton	Per carton
Zone 1.....	\$4.60	\$4.35	\$2.30	\$4.60	\$4.60
Zone 2.....	4.70	4.45	2.35	4.70	4.70
Zone 3.....	4.70	4.45	2.35	4.70	4.70

(b) To any person other than the United States Government or any agency thereof:

If delivered in—	Carton of 48 14½-oz. cans	Carton of 48 13-oz. cans	Carton of 48 6-oz. cans	Carton of 96 6-oz. cans	Carton of 6 8-lb. cans
	Per carton	Per carton	Per carton	Per carton	Per carton
Zone 1.....	\$4.70	\$4.45	\$2.35	\$4.70	\$4.70
Zone 2.....	4.80	4.55	2.40	4.80	4.80
Zone 3.....	4.80	4.55	2.40	4.80	4.80

For cans of 14-ounce capacity the maximum price per carton of 48 shall be 11 cents less than the appropriate Table A prices for 14½-ounce cans; and for cans of 13½-ounce capacity the maximum price per carton of 48 shall be 22 cents less than the appropriate Table A prices for 14½-ounce cans.

b. Table B in paragraph (a) (1) (ii) is amended to read as follows:

TABLE B

(a) To the United States Government or any agency thereof:

If delivered in—	Carton of 48 14½-oz. cans	Carton of 48 6-oz. cans	Carton of 96 6-oz. cans	Carton of 6 8-lb. cans
	Per carton	Per carton	Per carton	Per carton
Zone 1.....	\$5.10	\$2.55	\$5.10	\$5.10
Zone 2.....	5.20	2.60	5.20	5.20
Zone 3.....	5.20	2.60	5.20	5.20

(b) To any person other than the United States Government or any agency thereof:



If delivered in—	Carton of 48 14½-oz. cans	Carton of 48 6-oz. cans	Carton of 96 6-oz. cans	Carton of 6 8-lb. cans
	Per carton	Per carton	Per carton	Per carton
Zone 1.....	\$5.20	\$2.60	\$5.20	\$5.20
Zone 2.....	5.30	2.65	5.30	5.30
Zone 3.....	5.30	2.65	5.30	5.30

c. The last paragraph of paragraph (b) is amended to read as follows:

For a period of 60 days after the effective date of the provision changing the maximum price, and with the first delivery after the 60-day period to each person who has not made a purchase within that time, the manufacturer shall include in each box, carton, or case containing the item the written notice set forth above. However, for sales directly to any retailer the manufacturer may supply the notice by attaching it to, or stating it on, the invoice covering the shipment instead of providing it with the item.

5. Section 35 is amended in the following respects:

a. A new paragraph (q) is added to read as follows:

(q) *Recomputation of maximum prices.* (1) Each manufacturer of a cheese food or cheese spread containing cheddar cheese, for which a maximum base price has been established by letter order under the provisions of section 35, may recompute his maximum price as follows: Multiply the percentage of cheddar cheese per pound of finished product by \$0.05. Carry this computation out to four decimal points. Add this sum to the price per pound established by the letter order. The result must be reported by registered mail addressed to the Dairy Products Price Branch, Office of Price Administration, Washington 25, D. C., in an affidavit setting out the following:

(i) The number and date of each letter order in effect on the date of the affidavit and the items covered by it which contain cheddar cheese.

(ii) The detailed computation showing the amount of increase in the base price.

(iii) The new maximum base price. Ten days after mailing this affidavit, each manufacturer may begin to sell at the new maximum prices so computed but until ten days have elapsed, after such affidavit has been mailed in accordance with the requirements of this paragraph (q), no sales shall be made at maximum prices in excess of those previously established by the letter orders then in effect. The Administrator may, by order, at any time, revise the maximum prices so established if he finds that they have been erroneously computed or that they are not in line with the general level of prices set by this regulation. Notification of any change in a manufacturer's base price shall be made to wholesalers and retailers in accordance with the provisions of paragraph (e) (5) of this section 35.

(2) Upon application by any manufacturer of cheese foods and cheese

spreads whose prices have not been established by letter order, the Administrator may, by order, in conformity with the method described in paragraph (d) (2), establish a new maximum base price which will reflect the increased maximum price for cheddar cheese permitted under the provisions of section 19 (q). The price so established may be in excess of the maximum price determined under the provisions of § 1351.803 of Maximum Price Regulation 280 and may be modified to bring it in line with the level of prices otherwise established under this regulation.

This amendment shall become effective June 17, 1946.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

Approved: June 14, 1946.

CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 46-10373; Filed, June 17, 1946;  
4:45 p. m.]

#### PART 1499—COMMODITIES AND SERVICES [Rev. SR 11, Amdt. 86]

##### HAND PRINTING ON TEXTILES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1499.46 of RSR 11 is amended in the following respect:

Paragraph (b) (160) thereof is deleted and amended to read as follows:  
(160) [Revoked].

This amendment shall become effective June 24, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10432; Filed, June 18, 1946;  
11:36 a. m.]

#### Chapter XV—Board of War Communications

[Order 37]

#### PART 1718—PROHIBITING THE LEASING OF COMMUNICATIONS CIRCUITS IN SUB- MARINE CABLES WITHOUT PRIOR APPROVAL OF THE BOARD

##### REVOCATION OF DESIGNATED ORDER

Whereas, the Board of War Communications on October 22, 1942, adopted its Order No. 22 (7 F.R. 8748) entitled "Prohibiting the Leasing of Communications Circuits in Submarine Cables Without Prior Approval of the Board"; and

Whereas, it appears that the said Order No. 22 has served the purposes for which it was adopted and under present conditions is no longer required for such purposes;

Now, therefore, it is hereby ordered, That the said Order No. 22 of the Board of War Communications, dated October 22, 1942, be, and the same is hereby, cancelled, effective the date of this order.

BOARD OF WAR  
COMMUNICATIONS,  
CHARLES R. DENNY,  
Acting Chairman.

E. K. RHODES,  
Acting Secretary,  
Captain, U. S. Coast Guard.

MAY 27, 1946.

[F. R. Doc. 46-10364; Filed, June 17, 1946;  
4:06 p. m.]

#### Chapter XVIII—Office of Economic Stabilization

#### PART 4003—SUBSIDIES: SUPPORT PRICES [Dir. 122]

##### 1946 EMERGENCY BARLEY PURCHASE PROGRAM

The Secretary of Agriculture has, by letter dated June 14, 1946, requested my approval of an emergency barley purchase program to be carried out by Commodity Credit Corporation. Barley will be purchased from grain merchandisers and malsters and allocated to feed deficit areas. To obtain an adequate supply of barley, it appears that it will be necessary to purchase approximately 1,200,000 bushels of barley at the malting barley price ceiling. Commodity Credit Corporation, in purchasing such barley at the malting barley price ceiling and selling it at the feed barley price ceiling, will be obliged to absorb a loss of 15 cents per bushel. The purchase program is more fully described in the copy of the memorandum from the Director, Grain Branch, Production and Marketing Administration, enclosed with the Secretary of Agriculture's letter.

Pursuant to the authority vested in me by the Stabilization Act of 1942, as amended, and by Executive Order 9250 of October 3, 1942 (7 F.R. 7871), Executive Order 9328 of April 8, 1943 (8 F.R. 4681), Executive Order 9599 of August 18, 1945 (10 F.R. 10155), Executive Order 9651 of October 30, 1945 (10 F.R. 13487), Executive Order 9697 of February 14, 1946 (11 F.R. 1691), and Executive Order 9699 of February 21, 1946 (11 F.R. 1929); it is hereby ordered:

The Department of Agriculture is authorized and directed to carry out, through the Commodity Credit Corporation, the program described in the Secretary of Agriculture's letter and the memorandum enclosed therewith.

Issued and effective this 17th day of June 1946.

CHESTER BOWLES,  
Director.

[F. R. Doc. 46-10396; Filed, June 18, 1946;  
10:26 a. m.]



## Chapter XXIII—War Assets Administration

[Reg. 1, Order 3]

## PART 8301—DESIGNATION OF DISPOSAL AGENCIES AND PROCEDURES FOR REPORTING SURPLUS PROPERTY LOCATED WITHIN THE CONTINENTAL UNITED STATES, ITS TERRITORIES AND POSSESSIONS

FORMS FOR DECLARATION OF SURPLUS<sup>2</sup>

Surplus Property Administration Regulation 1, Order 3, November 10, 1945, entitled "Forms for Declaration of Surplus" (10 F.R. 14071) is hereby revised and amended as herein set forth.

Pursuant to the authority of the Surplus Property Act of 1944 (58 Stat. 765; 50 U.S.C. App. Sup. 1611), Public Law 181, 79th Congress, 1st Session (59 Stat. 533), Executive Order 9689 (11 F.R. 1265) and Public Law 375, 79th Congress, 2d Session, *It is hereby ordered, That*

1. Owning agencies shall declare surplus personal property located within the continental United States, its territories and possessions to the appropriate disposal agency designated under this part on WAA Form 1001 "Declaration of Surplus Personal Property to Disposal Agency" as attached hereto (formerly Form SPB-1) in accordance with the instructions accompanying such form. Where the owning agency also acts as the disposal agency the same procedure shall be followed. Corrections or withdrawals of prior declarations of surplus personal property shall be submitted to the appropriate disposal agency on WAA Form 1001.1 "Adjustment of Prior Declaration of Surplus Personal Property" as attached hereto (formerly Form SPB-1.1) in accordance with the instructions accompanying such form. Disposal agencies are authorized to correct or adjust a declaration on WAA Form 1001 after verification of the declaration and inspection of the property. When the disposal agency makes such correction or adjustment without the submission by the owning agency of a WAA Form 1001.1 covering such correction or adjustment the submission of such WAA Form 1001.1 by the owning agency shall not be required.

2. Each owning agency shall declare such personal property surplus to the War Assets Administrator on WAA Form 1002 "Summary of Declarations of Surplus Property", as attached hereto, (formerly Form SPB-2) in accordance with the instructions accompanying such form.

3. Owning agencies shall declare surplus real property located within the continental United States, its territories and possessions, to the War Assets Administrator on WAA Form 1005 "Declaration of Surplus Real Property", as attached hereto, (formerly Form SPB-5) in accordance with the instructions accompanying such form.

4. WAA Form 1001.2 "Declaration of Surplus Personal Property to Disposal Agency", as attached hereto, (formerly Form SPB-1.2) may be used by the War Department and the Navy Department

as a substitute for WAA Form 1001 in declaring to the War Assets Administration surplus property located within the continental United States, its territories and possessions, resulting from contractor inventory. WAA Form 1001.3 "Listing Sheet", as attached hereto, (formerly Form SPB-1.3) may be used as the detailed listing sheet in support of WAA Form 1001.2 as a substitute for WAA Form 1001 "Continuation Sheet". WAA Forms 1001.2 and 1001.3 will be prepared in accordance with the instructions accompanying such forms.

5. The War Assets Administration may correct or adjust a declaration previously made on WAA Forms 1001.2 and 1001.3 by the War Department or the Navy Department to conform to the property thereafter delivered to or upon the order of the War Assets Administration. When the War Assets Administration makes such correction or adjustment without the submission by the owning agency of a WAA Form 1001.1 covering such correction or adjustment, the submission of such WAA Form 1001.1 may be omitted.

6. In making declarations of Government-owned personal property furnished contractors under a facilities contract, lease, rental agreement, or other contract or contract provision specifically governing the acquisition, use or disposition of such property, the Navy Department may use Navy Department Form S & A 269 and Office of Contract Settlement Form 5a for reporting items of machinery or equipment in the same major (2-digit) group of the Standard Commodity Classification at a single location. A WAA Form 1001 shall, however, be used as a cover sheet. A one line description shall be shown on WAA Form 1001 and continuation sheets for each Navy Department Form S & A 269 attached, and there shall be included on both the WAA Form 1001 and the Navy Department Form S & A 269 a proper cross-reference to identify each Navy Department Form S & A 269 with the related one line listing on WAA Form 1001. Not more than ninety-nine (99) Navy Department Forms S & A 269 or Office of Contract Settlement Forms 5a shall be attached to a single covering WAA Form 1001.

7. In making declarations of Government-owned personal property located in Government-owned plants operated by contractors under cost-plus-a-fixed-fee contracts, the War Department may use existing records including inventory listings and inventory cards, *Provided*, That a WAA Form 1001 or WAA Form 1001.2 is used as a cover sheet and *Provided further*, That all of the information required by the WAA Form 1001 or WAA Form 1001.2 is shown either on the WAA Form 1001 or WAA Form 1001.2 or on the supporting documents.

8. In making declarations of personal property located in complete Reconstruction Finance Corporation-owned plants the Reconstruction Finance Corporation may use existing records, including photostatic copies of the Asset Property Record covering such property, *Provided*, That a WAA Form 1001 is used as a cover sheet and *Provided further*, That all of

the information required by the WAA Form 1001 is shown either on the form or on the supporting documents. Not more than ninety-nine (99) of such records shall be attached to a single covering WAA Form 1001.

9. WAA Forms 1001, 1001.1, 1001.2, 1001.3, 1002 and 1005 may be reproduced by the owning agencies, *Provided*, That the formats are identical with those on file with the Division of the Federal Register, sample copies of which may be obtained from the Administrator. WAA Forms 1001 and 1001.1 should allow for a 1" margin on the left. WAA Form 1001.1 should be reproduced on yellow paper so as to distinguish it readily from WAA Form 1001.

10. Owning agencies may continue to use Forms SPB-1, SPB-1.1, the continuation sheets for each of these forms, Forms SPB-1.2, SPB-1.3 and SPB-5 until their stocks of these forms are exhausted. Wherever in these forms or the instructions to the forms the words "Surplus Property Board" or "Board" appear, they shall be deemed to refer to the War Assets Administrator.

NOTE: All reporting requirements of this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall become effective June 18, 1946.

E. B. GREGORY,  
Administrator.

JUNE 13, 1946.

[F. R. Doc. 46-10362; Filed, June 17, 1946; 2:12 p. m.]

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

## Chapter II—Corps of Engineers, War Department

## PART 202—ANCHORAGE REGULATIONS

## KILL VAN KULL ANCHORAGE, BAYONNE, N. J.

Pursuant to the provisions of section 7 of the River and Harbor Act of March 4, 1915 (38 Stat. 1053; 33 U.S.C. 471), the easterly section of Anchorage No. 29, in Kill Van Kull, Bayonne, New Jersey, is hereby eliminated, and the westwardly section of Anchorage No. 29 is hereby redefined, paragraph (a) of § 202.25, Title 33, CFR, being amended as follows:

§ 202.25 *The Port of New York.* (a) All azimuths \* \* \*

KILL VAN KULL ANCHORAGES<sup>1</sup>

29. To the westward of the westerly rack of the Bergen Point Ferry at Bayonne, New Jersey; to the northward of a line ranging from the north end of Frank McWilliams, Inc., Pier No. 2, West New Brighton, Staten Island, New York, to the southwest corner of the pier at the foot of Hunpreys Avenue, Bayonne; to the northward of a line ranging 258° from the inshore end of the Bergen Point Ferry at Bayonne to a point due east of Bergen Point Light, and thence to Bergen Point

<sup>1</sup> Chart filed with original document.

<sup>1</sup> 10 F.R. 14064; 11 F.R. 2602, 3035.

<sup>2</sup> Forms filed with Division of the Federal Register.



Light; and to the southeastward of a line ranging 55° from Bergen Point Light to the shore. [Regs. 29 May 1946 (CE 800.212 (Kill Van Kull, N. J.)—SPEWR)]

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 46-10369; Filed, June 17, 1946;  
4:13 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

[S. O. 411, Amdt. 1]

#### PART 95—CAR SERVICE

ICING AT ROSEVILLE, SAN JOSE OR STOCKTON,  
CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 17th day of June, A. D. 1946.

Upon further consideration of Service Order No. 411 (10 F.R. 15271) and good cause appearing therefor: *It is ordered*, That:

Service Order No. 411 (10 F.R. 15271), be, and it is hereby, amended by substituting the following paragraph (d) in lieu of paragraph (d) thereof:

(d) *Expiration date.* This order shall expire at 11:59 p. m., September 30, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)—(17))

*It is further ordered*, That this amendment shall become effective at 12:01 a. m., June 22, 1946; that a copy of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-10428; Filed, June 18, 1946;  
11:28 a. m.]

## Notices

### TREASURY DEPARTMENT.

Fiscal Service: Bureau of the Public  
Debt.

[1946 Dept. Circ. 790]

#### ¾ PERCENT TREASURY CERTIFICATES OF INDEBTEDNESS OF SERIES F-1947

##### OFFERING OF CERTIFICATES

JUNE 14, 1946.

I. *Offering of certificates.* 1. The Secretary of the Treasury, pursuant to the

authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for certificates of indebtedness of the United States, designated ¾ percent Treasury Certificates of Indebtedness of Series F-1947, in exchange for Treasury Notes of Series D-1946, maturing July 1, 1946. Approximately \$2,000,000,000 of the maturing notes will be retired on cash redemption.

II. *Description of certificates.* 1. The certificates will be dated July 1, 1946, and will bear interest from that date at the rate of ¾ percent per annum, payable semiannually on January 1 and July 1, 1947. They will mature July 1, 1947, and will not be subject to call for redemption prior to maturity.

2. The income derived from the certificates shall be subject to all Federal taxes, now or hereafter imposed. The certificates shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The certificates will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer certificates with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. The certificates will not be issued in registered form.

5. The certificates will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States certificates.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of certificates applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, subscriptions for amounts up to and including \$25,000 will be allotted in full, and subscriptions for amounts over \$25,000 will be allotted to all holders on an equal percentage basis, but not less than \$25,000 on any one subscription. The basis of the allotment will be publicly announced, and allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for certificates allotted hereunder must be made on or before July 1, 1946, or on later allotment, and may be made only in Treasury Notes of Series D-1946, maturing July 1, 1946, which will be accepted at par, and should accompany the subscription.

V. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested

to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for certificates allotted, to make delivery of certificates on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive certificates.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL]

FRED M. VINSON,  
Secretary of the Treasury.

[F. R. Doc. 46-10423; Filed, June 18, 1946;  
11:06 a. m.]

### DEPARTMENT OF AGRICULTURE.

#### Production and Marketing Administration.

[P. & S. Docket No. 308]

MARKET AGENCIES AT UNION STOCK YARDS,  
SIOUX CITY, IOWA

#### NOTICE OF PETITION FOR MODIFICATION

By an order entered on July 25, 1931, pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), the Acting Secretary of Agriculture prescribed rates and charges for the services of the respondent market agencies buying and selling livestock on a commission basis at the Sioux City Stock Yards, Sioux City, Iowa. Other orders have been entered from time to time, temporarily suspending and modifying the provisions of the order of July 25, 1931. The market agencies are now operating under an order dated December 26, 1945 (4 A. D. 991) which continued in effect the order of December 27, 1944 (3 A. D. 1070) as modified by the orders of September 19, 1945 (4 A. D. 739, 741), the order dated September 28, 1945 (4 A. D. 745) and the order dated December 12, 1945 (4 A. D. 977).

By petition the respondents now request that the provisions of the order of December 26, 1945, be continued in effect and that certain modifications in Supplement 3 of the existing schedule (Tariff No. 14) be authorized. The effect of such proposed modifications, if granted, would be to increase the selling charges for cattle and sheep and the buying charges for stocker and feeder cows and calves. Such increases in buying and selling charges would produce additional revenue to the respondents and, therefore, notice is hereby given to the public of the filing of the petition.

All interested persons who desire to be heard upon the matter requested in said petition for modification shall notify the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington 25, D. C., within fifteen days from the date of the publication of this notice.

Copies hereof shall be served upon the respondents by registered mail or in person.



Done at Washington, D. C., this 14th day of June 1946.

[SEAL]

E. A. MEYER,

Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 46-10366; Filed, June 17, 1946; 4:12 p. m.]

[P. & S. Docket No. 344]

UNION STOCK YARDS CO. OF OMAHA, LTD.

#### NOTICE OF PETITION FOR MODIFICATION

By a document filed on May 27, 1946, the respondent requested a modification of the rate schedule now in effect at its stockyard, which schedule was prescribed by an order dated March 1, 1933, as modified by supplemental orders dated October 6, 1937, and March 22, 1946.

Respondent seeks permission to publish and file with the Secretary an amendment to its tariff making effective the following extra service charge:

*Driving livestock to railroad chutes for outbound shipment, the following charges will apply*

Cattle and calves.....	\$2.00 per car.
Hogs .....	\$1.00 per deck.
Sheep or goats.....	\$1.00 per deck.
Horses or mules.....	\$2.00 per car.

Note: This charge will not apply to livestock stopped for feed, water, and rest, or to try the market and is forwarded without change of ownership.

*Effect of proposed modification.* The effect of such proposed modification, if granted, would result in additional revenue to the respondent and, accordingly, it appears that public notice should be given to all interested persons, including patrons of the respondent, so that they may have an opportunity to manifest their desire to be heard on this matter.

Therefore, notice is hereby given to the public and to all interested persons of the request of the respondent for a modification of the above orders and for the purpose of affording the respondent and all other interested persons, including patrons of the respondent, an opportunity to be heard on the matters covered in the petition for modification.

All persons who desire to be heard on this matter shall notify the Hearing Clerk, Office of Solicitor, United States Department of Agriculture, Washington 25, D. C., within fifteen days from the date of the publication of this order.

Copies hereof shall be served on the respondent by registered mail, or in person.

Done at Washington, D. C., this 14th day of June 1946.

[SEAL]

E. A. MEYER,

Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 46-10365; Filed, June 17, 1946; 4:12 p. m.]

JOHN MINDER & SONS, INC.

ORDER DEBARRING FURTHER GRADING SERVICE ON EGGS

John Minder & Son, Inc., is a corporation which is engaged in the packaging

and distribution of eggs for sale at its plant located at 101 Barclay Street, New York, New York, and has been receiving grading service on its eggs at such plant through the facilities of the United States Department of Agriculture.

On the basis of a stipulation as to the facts which was entered into on May 15, 1946, between Benjamin Heller for Kreutzer, Hauser and Selman, 32 Broadway, New York, New York, attorneys for such corporation, and James A. O'Donnell, 150 Broadway, New York, New York, an attorney for the United States Department of Agriculture, which stipulation was admitted in evidence and made a part of the record in a debarment hearing against such corporation which was held at 641 Washington Street, New York, New York, on May 16 and 17, 1946, as well as on the basis of other evidence adduced at the aforesaid hearing:

It is hereby found and determined, that, during October 1945, such corporation knowingly and wilfully violated certain provisions of the regulations (7 CFR, Cum. Supp., 55.1 et seq., as amended in 7 CFR, 1943 Supp., 55.19, 55.35, 55.37, 55.38, 55.39, 55.41—generally referred to as Service and Regulatory Announcements No. 137, as revised) issued under the authority contained in the so-called Farm Products Inspection Act (59 Stat. 136 (158), Pub. L. No. 52, 79th Cong., 1st Sess.) in that it, through one of its employees, Jacob Cooper, who was fully authorized by the corporation to act for it in the matter, did:

(a) On or about October 17, 1945, sell to the American Export Lines, Inc., New York, New York, in its capacity as general agent for the War Shipping Administration in the operation of certain vessels controlled by the latter, and deliver on board the S. S. Tagknot, one of such vessels, 20 cases of eggs, of which 5 cases were not the same eggs which had previously been inspected, graded, and passed by the United States Department of Agriculture, the contents of all such 5 cases of eggs also being below the minimum acceptable standards prescribed by the War Shipping Administration;

(b) On or about October 23, 1945, sell to the American Export Lines, Inc., New York, New York, in its capacity as general agent for the War Shipping Administration in the operation of certain vessels controlled by the latter, and deliver on board the S. S. Fairwind, another of such vessels, 20 cases of eggs which failed to meet the minimum acceptable standards prescribed by the War Shipping Administration, which eggs were delivered in substitution for 20 cases of eggs which were not, in fact, either inspected or approved by the United Department of Agriculture for that purpose at the premises of such corporation, or identified and earmarked by such corporation for delivery aboard such vessel until several hours after the actual delivery of the substituted cases of inferior eggs;

(c) On or about October 26, 1945, sell to the American Export Lines, Inc., New York, New York, in its capacity as general agent for the War Shipping Administration in the operation of certain vessels controlled by the latter, and de-

liver on board the S. S. Pontotoc Victory, another of such vessels, 127 cases of eggs, 15 of which bore no official United States Department of Agriculture inspection marks whatever, and 66 of which contained eggs which did not meet the minimum acceptable standards prescribed by the War Shipping Administration. Prior to the delivery of the aforesaid 127 cases of eggs, graders of the United States Department of Agriculture had inspected, stamped, and passed 127 cases of eggs which did meet the minimum acceptable requirements of the War Shipping Administration, and which were identified and earmarked for delivery to the said vessel on or about October 26, 1945; and

It is hereby further found and determined, that during October, 1945, all sales and deliveries of eggs to the American Export Lines, Inc., New York, New York, in its capacity as general agent for the War Shipping Administration in the operation of vessels controlled by the latter, were made subject to the terms and conditions of Food Control Regulation No. 14 (including Supplement No. 1 and Supplement No. 2 thereto), issued on behalf of the War Shipping Administration, a part of such terms and conditions being as follows: (1) such eggs must be at least of U. S. Grade "A" (Consumer) or of grades U. S. Procurement I or II; (2) such eggs must have been inspected, graded, and passed as meeting the requirements for grade and quality by the Office of Distribution, War Food Administration (now Production and Marketing Administration, United States Department of Agriculture); (3) cases containing such eggs delivered to the vessels as aforesaid must bear official Government grading stamps indicating that the contents had been officially inspected and graded, and the date of such inspection and grading; and (4) the seller must place a certificate on each invoice covering such a sale of eggs to the effect that the eggs delivered, and covered by such invoice, are a part of the same eggs covered by a specified Government inspection certificate executed as a result of an inspection of eggs for such delivery. James M. Rogers, the Secretary of the Corporation, and the official of such corporation who had general supervision and control over such corporation's egg business, has admitted: (i) all sales and deliveries of eggs which were made by the corporation to the American Export Lines, Inc., New York, New York, in its capacity as general agent for the War Shipping Administration, as aforesaid, including the sales and deliveries referred to in paragraphs (a), (b), and (c) above, were knowingly made subject to the terms and conditions referred to in the preceding sentence of this paragraph; and (ii) that payments to the corporation for such eggs were made on the basis, and at the rates prescribed for, the grades of eggs as shown on the official Government inspection certificates, whereas, as indicated in paragraphs (a), (b), and (c) above, some of such cases of eggs were actually of grades inferior to the grades indicated on such official Government certificates. While also admitting that the aforesaid wrongful acts were committed, Mr. James M.



Rogers contended that the employee, Jacob Cooper, acted in the matter without his (Mr. Roger's) knowledge or consent. Even on the basis of such a contention, the corporation must still be held responsible for the violations on the grounds that Jacob Cooper was fully authorized by the corporation to act for it in the matter, and, Mr. James M. Rogers, Mr. Cooper's business supervisor, failed to exercise the degree of supervision and control over Mr. Cooper's business activities as might usually and normally be expected under such a relationship.

Obtaining inspections and certifications of farm products by disinterested graders is a privilege which is conferred by the United States Government, through the United States Department of Agriculture, in an effort to aid commerce by providing marks of quality upon which all may rely. Those who receive the service are benefited by the reliance placed on those marks by customers and prospective customers. Such benefits do not accrue without corresponding responsibilities. On those who are privileged to receive grading service, there is an obligation to see that they and all their officers, employees, and agents do nothing which might have the effect of lessening the faith which is justly placed in certificates of grade and quality issued by the United States Government.

In view of the foregoing, *It is hereby ordered, That:*

(1) During the period from May 6, 1946, to October 6, 1946, both inclusive, John Minder and Son, Inc., 101 Barclay Street, New York, New York, is debarred from having its eggs graded and certified as to grade by any official grader of the United States Department of Agriculture: *Provided*, That any restoring of such privilege to the said corporation on and after the latter date shall be subject to all official rules and regulations which are applicable in that connection; and

(2) A copy of this order shall be filed with the Federal Register Division, for publication.

(59 Stat. 136 (158), Pub. L. No. 52, 79th Cong., 1st Sess.)

Dated: June 17, 1946.

[SEAL] E. A. MEYER,  
Assistant Administrator, Pro-  
duction and Marketing Ad-  
ministration.

[F. R. Doc. 46-10368; Filed, June 17, 1946;  
4:12 p. m.]

## FEDERAL POWER COMMISSION.

[Docket No. IT-5995]

NORTHWESTERN PUBLIC SERVICE CO.

NOTICE OF APPLICATION

JUNE 17, 1946.

Notice is hereby given that on June 13, 1946, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Northwestern Public Service Company (hereinafter called "applicant"), a corporation organized under the laws

of the State of Delaware and doing business in the States of Nebraska and South Dakota with its principal business office at Huron, South Dakota, seeking an order authorizing: (1) the issuance by applicant of first mortgage bonds, —% Series, due in 1976, in the aggregate principal amount of \$5,275,000, for the purpose of refunding the now outstanding \$5,276,000 principal amount of first mortgage bonds, Series A, 4%, due August 1, 1970; (2) the issuance of 26,000 shares of —% cumulative preferred stock of the par value of \$100 per share, to retire by exchange, or to provide funds toward the redemption of, all of the issued and outstanding shares of the old preferred stock, aggregating \$3,985,200 in par amount; (3) the change and reclassification of the presently issued and outstanding 52,150 shares of common stock without par value into 300,000 shares of new common stock of the par value of \$3 per share; (4) the issuance of 100,000 shares of the new common stock, to provide funds (to the extent necessary) for the redemption of the old bonds and unexchanged shares of old preferred stock; the proceeds not required for such redemptions to be added to the working funds of the applicant; all as more fully appears in the application on file with the Commission. The \$5,275,000 principal amount of new bonds, 26,000 shares of new preferred stock, and 100,000 shares of new common stock will be sold at competitive bidding, the sale of the new preferred stock to be subject to an exchange offer.

Any persons desiring to be heard or to make any protest with reference to said application should, on or before the 5th day of July 1946, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and regulations.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 46-10403; Filed, June 18, 1946;  
10:51 a. m.]

## INTERSTATE COMMERCE COMMISSION.

[No. 29493]

FREIGHT FORWARDERS; MOTOR COMMON CARRIERS, AGREEMENTS

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 7th day of June A. D. 1946.

It appearing, that by order of March 5, 1946, the Commission upon its own motion instituted the above-entitled proceeding of investigation, and that the proceeding was referred to Division 2 of the Commission for administrative handling;

It further appearing, that all freight forwarders subject to part IV of the said act and all common carriers of property by motor vehicle subject to part II thereof, except common carriers of household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M. C. C. 467, were made respondents to said proceeding;

And it further appearing, that the information described in the instruction and forms in the appendix hereto<sup>1</sup> is relevant and material in this investigation and should be required to be furnished to the Commission by the respondent freight forwarders prior to hearing;

*It is ordered*, That each of said respondent freight forwarders be, and it is hereby, required to furnish the information described by filing with the Interstate Commerce Commission, Washington 25, D. C., on or before August 12, 1946, statements in triplicate showing such information, as of March 1, 1946, in accordance with the forms and instructions appended hereto and made a part hereof.

*And it is further ordered*, That a copy of this order be served by mail upon each of said respondent freight forwarders, and that notice be given to the public by posting a copy of this order in the office of the Secretary of the Commission, at Washington, D. C., and by filing a copy thereof with the Director, Division of the Federal Register.

NOTE: The reporting requirement of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-10346; Filed, June 17, 1946;  
11:58 a. m.]

[No. 29493]

FREIGHT FORWARDERS; MOTOR COMMON CARRIERS, AGREEMENTS

NOTICE OF HEARING

JUNE 7, 1946.

Pursuant to the order of March 5, 1946, this proceeding is assigned for hearing before Examiner P. O. Carter and Examiner J. J. Williams at 9:30 o'clock a. m. on the dates and at the places listed below:

July 15, 1946, at Morrison Hotel, Chicago, Ill.

September 9, 1946 at 641 Washington St., New York, N. Y.

and such other times and places as subsequently may be found necessary.

Pursuant to notice to all concerned dated March 5, 1946, the respondents and interested parties were permitted to file with the Commission on or before April 15, 1946, subsequently postponed to May 15, 1946, memoranda or briefs containing their views as to the interpretation that should be placed upon any of the provisions of section 409 of the Interstate Commerce Act, as amended, including the form, substance, and character of the terms and conditions to be prescribed and any rules and regulations which should be made by the Commission under section 403 (a) of the act.

Certain respondents and other interested persons filed briefs or memoranda containing various proposals as indicated below:

PART I. Proposal of Freight Forwarders Institute in behalf of 21 forwarders. 1.

<sup>1</sup> Filed as part of the original document.



That the Commission prescribe by order that no charge be made by a motor carrier and paid by a forwarder for the utilization of the motor carrier service which shall be less than the motor carrier's full cost of providing that service, including overhead.

2. That the Commission prescribe a distance scale of prima facie reasonable minimum compensation for assembling and distribution service, placing the burden upon the forwarder and the motor carrier desiring to maintain a lower basis to show that such lower basis is just and reasonable, in view of the peculiar conditions surrounding the movement; and that a reasonable minimum scale would be the contemporaneous official territory third-class scale of rates per 100 pounds less in each instance one-half of the terminal portion of the rate or 11 cents per 100 pounds, resulting in the following proposed scale of compensation:

Miles:	Cents	Miles:	Cents
5	13	100	36
10	14	110	38
15	16	120	39
20	17	130	41
25	19	140	42
30	20	150	44
35	21	160	45
40	22	170	47
45	23	180	48
50	24	190	49
55	27	200	50
60	27	300	62
65	29	400	72
70	30	500	83
75	31	600	93
80	32	700	104
85	33	800	112
90	34	900	121
95	35	1,000	129

PART II. *Proposal of American Trucking Association, Inc.* 1. That any rules, regulations, or practices which the Commission may prescribe in this proceeding to govern the transportation by motor carriers of forwarder traffic should, among other things, provide:

(a) The amount of compensation to be received by the motor carriers for such transportation, and all other terms and conditions thereof, shall be filed with the Commission and open to public inspection.

(b) For the establishment and enforcement of consistent standards and practices by forwarders in connection with handling of loss and damage claims, payment of motor carrier settlement, claim liability, and similar matters.

2. That with respect to the basis of compensation to be paid by forwarders to motor carriers for either assembling or distribution service or for terminal-to-terminal service the lowest basis should reflect the difference in the cost to the motor common carriers rendering the service to the forwarders and to others but in no event should the basis of compensation be less than 85 percent of the motor common carrier's local rates.

PART III. *Proposal of the National Industrial Traffic League.* That under section 409 as amended:

1. The Commission may require that the compensation which forwarders pay motor carriers for their services shall be stated in tariff form rather than being

reflected in divisions of published joint rates.

2. No motor carrier and no freight forwarder may be required to enter into joint rates; and any joint rates or terms of utilization of service other than the terms open to all shippers under the tariffs of motor carriers are only such as voluntarily may be agreed to by the motor carrier.

3. That in any and all particular situations, the bona fide benefits of forwarder service ought to be measured against or in connection with the costs incurred. Where there is a saving or improvement of service in the consolidation of shipments between the consolidating and the break-bulk point, such benefits should fairly be extended to traffic originating prior and terminating subsequent to such consolidating and break-bulk points, but this should be without need for concessions in the compensation by carriers for the assembling and distribution services which do not represent any operating economies of the carrier.

4. As a general principle, when freight forwarding is regarded as essentially a function of consolidating smaller shipments, the savings of underlying costs ought not to be augmented by carrier discounts below their proper rates not reflecting any savings in the costs of physical service. For this would be burdening other motor carrier traffic, at the ultimate cost of shippers by highway.

5. Arrangements by which motor carrier services are utilized by freight forwarders shall be uniform, and there shall be no discrimination therein as between or among freight forwarders or others.

PART IV. Various proposals of The New England Motor Rate Bureau, Inc., Detroit Board of Commerce, Middlewest Motor Freight Bureau, Chicago Suburban Motor Carriers Association, Inc., Chicago-Milwaukee Motor Carriers Conference, Southern Wisconsin Motor Carriers Conference, The Chicago Association of Commerce, Atlanta Freight Bureau, Central Package Car Company, Anderson Motor Service Company, Consolidated Forwarding Company, Inc., Husman & Loper Freight Lines, Inc., Lee Transportation Company, Western Trucking Company, Inc., Shein's Express, Overseas Transportation Co., Inc., and New York, New Brunswick Auto Express Co., Inc., may be briefly summarized as follows:

1. That the present arrangements between forwarders and motor common carriers should not be disturbed.

2. That all agreements respecting compensation, rules, regulations and practices between forwarders and motor common carriers be filed in tariff form with the Commission and (a) should be open to public inspection; (b) should not be open to public inspection; (c) should apply uniformly to all forwarders and motor common carriers so as to provide a uniform and equal treatment for motor common carriers in groups rather than permitting individual or different arrangements between individual forwarders and individual motor common carriers.

3. Bases of compensation to be paid by forwarders to motor common carriers: (a) should be left to agreements between

the forwarders and motor common carriers; (b) should be left to agreements between forwarders and motor common carriers when the services are within commercial zones defined by the Commission; (c) should fully compensate the motor common carriers for the use of their facilities; (d) should be the full local rates of the motor common carriers; (e) should reflect the difference in cost to the motor common carriers rendering the service to the forwarders and others; (f) should be not less than 85 percent of the local rates of the motor common carriers; and (g) should be not less than 85 percent of the local rates of the motor common carriers between points that the traffic is physically transported but not less than the applicable fourth-class rate except when articles are rated or classified lower than fourth class, such lower rate or charge to be observed as maximum compensation for the motor common carrier.

PART V. The Commission desires that the respondent motor carriers and freight forwarders, or other interested parties, develop upon the record at the hearings as complete information as possible concerning differences if any in service performed by motor carriers for freight forwarders and that performed for others, and in the cost thereof, also variations in the service performed for freight forwarders, on (a) traffic handled in assembly or distribution service and (b) traffic handled in line-haul or terminal-to-terminal service in truckload lots, and any other facts pertinent to the question of the level of the compensation to be paid by freight forwarders to motor carriers; whether in prescribing terms and conditions, including terms and conditions governing the determination and fixing of the compensation to be paid by freight forwarders, the Commission should deal with forwarder-motor carrier relations on territorial bases, and if so what the territorial designations should be; and any other information pertinent to the above proposals or any other proposals which may be submitted.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-10347; Filed, June 17, 1946;  
11:58 a. m.]

[No. 29555]

#### PICK-UP AND DELIVERY SERVICES BY RAILROADS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 10th day of June A. D. 1946.

The Commission having under consideration the matter of pick-up and delivery services within terminal areas performed by, or for, common carriers by railroad subject to the Interstate Commerce Act, and

It appearing, that such services are now performed in connection with a substantial volume of traffic moving in interstate and foreign commerce from which the carriers by railroad obtain a large amount of revenue, and that in the performance of pick-up and delivery services such carriers expend substantial



amounts to meet the costs of service and related expenses:

*It is ordered,* That an investigation be, and it is hereby, instituted upon the Commission's own motion into and concerning the reasonableness, and the lawfulness otherwise, of the rates and charges for, and the rules, regulations and practices governing or affecting, pick-up and delivery services within terminal areas performed by, or for, class I common carriers by railroad subject to the Interstate Commerce Act, in connection with, or incidental to, transportation in interstate or foreign commerce, including such services when performed by a railroad common carrier or by any person, whether as agent or under a contractual arrangement, for a common carrier by railroad, with a view to determining whether such rates and charges, rules, regulations and practices, or any of them, are in violation of any provision of the Interstate Commerce Act, and of making such findings and entering such order or orders, or taking any other action, as may be warranted by the record.

*It is further ordered,* That all class I common carriers by railroad subject to the Interstate Commerce Act be, and they are hereby, made respondents to this proceeding, that a copy of this order be served upon each of the said respondents, and that notice of this proceeding be given to the public by posting a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register, Washington, D. C.

*And it is further ordered,* That this proceeding be assigned for hearing at such times and places as the Commission may hereafter direct.

By the Commission.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-10348; Filed, June 17, 1946;  
11:58 a. m.]

[No. 29556]

#### CHARGES ON SMALL SHIPMENTS BY RAILROADS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 10th day of June A. D. 1946.

The Commission having under consideration the matter of rates, charges, rules, regulations, and practices in connection with small shipments by common carriers by railroad subject to the Interstate Commerce Act:

*It is ordered,* That an investigation be, and it is hereby, instituted upon the Commission's own motion into and concerning the reasonableness and the lawfulness otherwise, of the rates and charges for, and the rules, regulations, and practices governing or affecting, the transportation in interstate or foreign commerce by common carriers by railroad subject to the Interstate Commerce Act, of small shipments, particularly those subject to minimum charges, but

exclusive of shipments weighing more than 300 pounds each, with a view to determining whether such rates and charges and rules, regulations, and practices, or any of them, are in violation of any provision of the Interstate Commerce Act, and of making such findings and entering such order or orders, or taking any other action, as may be warranted by the record.

*It is further ordered,* That all common carriers by railroad engaged in freight transportation subject to the Interstate Commerce Act be, and they are hereby, made respondents to this proceeding, that a copy of this order be served upon each of the said respondents and upon each State regulatory commission, and that notice of this proceeding be given to the public by posting a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of Federal Register, Washington, D. C.

*And it is further ordered,* That this proceeding be assigned for hearing at such times and places as the Commission may hereafter direct.

By the Commission.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-10349; Filed, June 17, 1946;  
11:58 a. m.]

[No. MC-C-543]

#### CHARGES ON SMALL SHIPMENTS BY MOTOR CARRIERS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 10th day of June A. D. 1946.

The Commission having under consideration the matter of rates, charges, rules, regulations, and practices in connection with small shipments by common carriers by motor vehicle subject to the Interstate Commerce Act:

*It is ordered,* That an investigation be, and it is hereby, instituted upon the Commission's own motion into and concerning the reasonableness and the lawfulness otherwise, of the rates and charges for, and the rules, regulations, and practices governing or affecting, the transportation in interstate or foreign commerce by common carriers by motor vehicle, except household goods carriers, subject to the Interstate Commerce Act, of small shipments, particularly those subject to minimum charges, but exclusive of shipments weighing more than 300 pounds each, with a view to determining whether such rates and charges and rules, regulations, and practices, or any of them, are in violation of any provision of the Interstate Commerce Act, and of making such findings and entering such order or orders, or taking any other action, as may be warranted by the record.

*It is further ordered,* That all common carriers of property by motor vehicle, except household goods carriers, subject to the Interstate Commerce Act be, and they are hereby, made respondents to

this proceeding, that a copy of this order be served upon each of the said respondents and upon each State regulatory commission, and that notice of this proceeding be given to the public by posting a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of Federal Register, Washington, D. C.

*And it is further ordered,* That this proceeding be assigned for hearing at such times and places as the Commission may hereafter direct.

By the Commission.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-10351; Filed, June 17, 1946;  
11:58 a. m.]

[No. MC-C-542]

#### PICK-UP AND DELIVERY SERVICES BY MOTOR CARRIERS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 10th day of June, A. D. 1946.

The Commission having under consideration the matter of pick-up and delivery services within terminal areas performed by, or for, motor common carriers of property subject to the Interstate Commerce Act, and it appearing that such services are performed in connection with a substantial volume of freight moving in interstate or foreign commerce from which the said motor common carriers obtain a large amount of revenue, and that in the performance of pick-up and delivery services such carriers expend substantial amounts; and good cause appearing therefor:

*It is ordered,* That an investigation be, and it is hereby, instituted upon the Commission's own motion into and concerning the reasonableness, and lawfulness otherwise, of the rules, regulations, and practices of class I motor common carriers governing or affecting pick-up and delivery services on less-than-truckload freight and freight moving at any-quantity rates, and concerning the expense to the said carriers, including the compensation paid to others, for the performance of such services with a view to determining whether such rules, regulations, practices, and payments are in violation of any provision of the Interstate Commerce Act, and of making such findings in the premises and entering such order or orders, or taking any other action, as may be warranted by the record.

*It is further ordered,* That all class I motor common carriers of property subject to the Interstate Commerce Act be, and they are hereby, made respondents to this proceeding, that a copy of this order be served upon each of the said respondents, and that notice of this proceeding be given to the public by posting a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of Federal Register, Washington, D. C.



And it is further ordered, That this proceeding be assigned for hearing at such times and places as the Commission may hereafter direct.

By the Commission.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-10350; Filed, June 17, 1946;  
11:58 a. m.]

[Nos. 29555, MC-C-542, 29556, MC-C-543]

PICK-UP AND DELIVERY SERVICES AND  
CHARGES ON SMALL SHIPMENTS BY RAIL-  
ROADS AND MOTOR CARRIERS

JUNE 13, 1946.

At a general session on June 10, 1946, the Commission upon its own motion instituted investigations into the reasonableness and lawfulness otherwise of charges, rules, regulations, and practices of Class I common carriers by railroad and rules, regulations and practices of Class I common carriers by motor vehicle subject to the Interstate Commerce Act, affecting pick-up and delivery services in connection with transportation in interstate or foreign commerce by said carriers.

At the same time investigations were likewise instituted into the reasonableness and the lawfulness otherwise of the rates, charges, rules, regulations and practices affecting the transportation in interstate or foreign commerce by common carriers by railroad and by common carriers by motor vehicle subject to the Interstate Commerce Act of small shipments not exceeding 300 pounds each in weight.

For a more detailed statement of the issues in these proceedings reference is made to the orders of investigation.

Considered and denied at the same general session of the Commission were the petitions dated February 4, 1946, and March 9, 1946, respectively, of American Truck Associations, et al., "for investigation and order with respect to rail and forwarder less-carload and any-quantity exceptions ratings and commodity rates lower than classification bases and to corresponding motor common carrier exceptions ratings and commodity rates" and of Middlewest Motor Freight Bureau, et al., "For Rule to Show Cause" why certain pick-up and delivery rates should not be increased. It appeared that the matters covered in the first petition are now in major part under consideration in Ex Parte No. 162, Increased Railway Rates, Fares and Charges, 1946, and Docket No. 28310, Consolidated Freight Classification, and to some extent in the small shipments investigation mentioned above. It also appeared that the action sought by the second petition was taken in broader scope in the pick-up and delivery services investigations mentioned above.

Public hearings, in which State commissions will be invited to participate will be assigned in these proceedings at times and places to be hereafter announced.

In Nos. 29556 and MC-C-543 a pre-hearing conference will be held at the office of the Interstate Commerce Commission, Washington, D. C., on July 15,

1946, beginning at 10:00 o'clock a. m. Commissioner Alldredge will preside, assisted by Examiners H. G. Cummings, L. J. Kassel, and G. B. Vandiver. At that time proposals will be considered bearing upon times and places of the hearings, nature of evidence to be submitted, exchange of exhibits and all other matters pertinent to the investigations as described in Rule 68 of the General Rules of Practice.

By the Commission.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-10352; Filed, June 17, 1946;  
11:58 a. m.]

[S. O. 396, Special Permit 42]

RECONSIGNMENT OF POTATOES AT KANSAS  
CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (11 F.R. 2193), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Kansas City, Missouri, June 13, 1946, by Michael-Swanson-Brady Produce Company, of car URT 4962, potatoes, now on the A. T. & S. F. Railway, to Chicago, Illinois, (A. T. & S. F.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 13th day of June, 1946.

V. C. CLINGER,  
Director,  
Bureau of Service.

[F. R. Doc. 46-10353; Filed, June 17, 1946;  
11:59 a. m.]

[S. O. 532]

UNLOADING OF COAL AT CONNELLSVILLE, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 17th day of June, A. D. 1946.

It appearing, that numerous cars containing strip coal at Connellsville, Pa., on The Baltimore and Ohio Railroad Company, shipped by Rizzo Coal Company, Uniontown, Pa., have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action; it is ordered, That:

Coal at Connellsville, Pennsylvania, be unloaded. (a) The Baltimore and Ohio Railroad Company, its agents or

employees, shall unload forthwith the following described cars containing coal consigned to Distributor Fuel Company, Connellsville Scales, Pa., now on hand at the scales at Connellsville, Pa.:

Origin	Cars
Eagle Mine----	B&O 331773, 330142, 329804, 335610, 330751 and 23 others.
Evelyn Mine--	B&O 425174, 323978, 532987, C&O 4222, B&O 422652 and 21 others.
Cornish Mine--	B&O 330166, 325628, 637092, B&O 726672, 434535 and 12 others.

(b) Notice and expiration. Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U.S.C. 1 (10)-(17), 15 (2))

It is further ordered, that this order shall become effective immediately, and that a copy of this order and direction shall be served upon The Baltimore and Ohio Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 46-10429; Filed, June 18, 1946;  
11:28 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[SO 133, Order 53]

MYRTLE DESK CO.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Supplementary Order No. 133, it is ordered:

(a) *Manufacturer's maximum prices.* The Myrtle Desk Company, High Point, North Carolina, may increase by 4.7 percent, its current maximum prices (exclusive of any permitted increases) for sales of wood office furniture which it manufactures.

(b) *Maximum prices of purchasers for resale.* Resellers of any article which the manufacturer has sold at an adjusted ceiling price determine under this order shall determine their maximum prices as follows:

A reseller who had a properly established maximum price in effect before this order was issued for an article covered by this order may add to that maximum price an adjustment charge in the same dollar-and-cents amount as the



adjustment charge authorized by this order for, and which he has paid to, his supplier.

If the reseller did not have a properly established maximum price for the article in effect before this order was issued he shall first determine a maximum price (exclusive of adjustment charges), and to that price he may add an adjustment charge in the same dollar-and-cents amount as the adjustment authorized by this order for, and which he has paid, to his supplier. To find his maximum price (exclusive of adjustment charges) for this purpose the reseller shall add to his invoice cost, less an adjustment charge stated on that invoice, the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is the one which meets all of the following tests:

(1) It belongs to the narrowest trade category which includes the article being priced.

(2) Both it and the article being priced were purchased from the same class of supplier.

(3) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(4) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling prices, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(c) *Terms of sale.* Maximum prices adjusted by this order are subject to each seller's terms, discounts, allowances, and other price differentials, in effect during March, 1942, or which have been properly established under the applicable OPA regulation.

(d) *Notification.* At the time of, or prior to the first invoice to a purchaser for resale showing a maximum price adjusted in accordance with the terms of this order, the seller shall notify such purchaser in writing of the methods established in paragraph (b) for determining adjusted maximum prices for sales of the articles covered by this order. This notice may be given in any convenient form.

(e) *Reports.* The manufacturer shall file the report described in Section 5 of Supplementary Order No. 133 with the Office of Price Administration, Washington 25, D. C.

(f) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(g) The provisions of Supplementary Order No. 153 shall not apply to resale prices of articles covered by this order.

(h) *Effective date.* This order shall become effective on the 18th day of June 1496.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10341; Filed, June 17, 1946;  
11:42 a. m.]

[MPR 188, Revocation of Order 2088]

CHANDLER-PALRUBA CO.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register; and pursuant to Maximum Price Regulation No. 188, *It is ordered*, That Order 2088 be, and it hereby is, revoked.

This order shall become effective on June 17, 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10330; Filed, June 17, 1946;  
11:42 a. m.]

[MPR 188, Order 5038]

BET-R-LITE PRODUCTS CO.

#### APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered*:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Bet-R-Lite Products Company, 1319 South Michigan Avenue, Chicago, Ill.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Glass boudoir lamp.....	G-100	Each \$1.30	Each \$1.53	Each \$2.75
Pottery boudoir lamp.....	P-100	1.70	2.00	3.60
Glass boudoir lamp with wood base.	G-101	1.49	1.75	3.15
Glass boudoir lamp.....	G-102	1.31	1.53	2.75
	G-103	1.44	1.69	3.04
	G-104	1.12	1.32	2.38
	G-105	1.21	1.42	2.56
	G-106	1.22	1.44	2.59

These maximum prices are for the articles described in the manufacturer's application dated May 8, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regula-

tion No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 1% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 18th day of June 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10332; Filed, June 17, 1946;  
11:40 a. m.]

[MPR 188, Amdt. 1 to 2d Rev. Order 3151]

COMMONWEALTH CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reason set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to § 1499.153 of Maximum Price Regulation No. 188, *It is ordered*: Paragraph (d) of second revised Order No. 3151 under § 1499.153 of Maximum Price Regulation No. 188 is deleted.

Effective this 18th day of June 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10331; Filed, June 17, 1946;  
11:39 a. m.]



[MPR 188, Order 5039]

HI-LO LAMP MFG. CO.

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Hi-Lo Lamp Manufacturing Company, 1636 North Marshall Street, Philadelphia, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Articles	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
14" plastic vanity lamp with rayon swirl shade, velvet ribbon trimmed top and bottom	722	Each \$7.91	Each \$9.31	Each \$16.75
18" plexiglass vanity lamp with rayon swirl shade, velvet ribbon trimmed top and bottom	723	9.58	11.27	20.30
54" bronze plated steel student floor lamp with rayon shade, braid trimmed top and bottom	1331-S	9.16	10.78	19.40
64" bronze plated steel torchiere with glass reflector	1331-T	9.58	11.27	20.30
62" bronze plated steel 6-way floor lamp with rayon shade braid trimmed top and bottom	1331-F	10.00	11.76	21.15

These maximum prices are for the articles described in the manufacturer's application dated April 11 and 26, May 17, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 18th day of June 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10333; Filed, June 17, 1946;  
11:41 a. m.]

[MPR 188, Order 5040]

HEDI SCHOOP ART CREATIONS

## APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Hedi Schoop Art Creations, 10852 Burbank Blvd., North Hollywood, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
25" hand painted pottery figurine lamp with hand painted silk shade.	501, Roma.	Each \$22.05	Each \$25.94	Each \$46.70
16" hand painted pottery figurine lamp with hand painted silk shade.	502, Book-girl.	13.60	16.00	28.80
10 1/2" hand painted pottery figurine lamp with hand painted silk shade.	503-504, Chinese.	14.45	17.00	30.00
21" hand painted pottery figurine lamp with hand painted silk shade.	505, Margie.	22.05	25.94	46.70

These maximum prices are for the articles described in the manufacturer's application dated April 23, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory 2% 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C. under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model No. -----  
OPA Retail Ceiling Price—\$-----  
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 18th day of June 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10334; Filed, June 17, 1946;  
11:41 a. m.]

[MPR 591, Order 624]

KALAMAZOO STOVE AND FURNACE CO.

## AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net delivered prices, for sales by any person of the following cast iron coal fired furnaces manufactured by the Kalamazoo Stove and Furnace Company and as described in the application which is on file with the Mechanical Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model No.	On sales to	
	dealers	consumers
40.....	Each \$83.13	Each \$118.75
44.....	87.75	125.25
48.....	98.07	140.10
52.....	108.99	155.70



(b) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(c) Each seller covered by this order, except on sales to consumer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(d) This order does not establish maximum prices for the furnaces in question when sold on an installed basis. Maximum prices for such installed sales must be determined under the provisions of Revised Maximum Price Regulation No. 251.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 18, 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10337; Filed, June 17, 1946;  
11:43 a. m.]

[MPR 591, Amdt. 1 to Order 429]

#### SOUTHERN AIRCRAFT CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, Order No. 429 under section 9 of Maximum Price Regulation No. 591 is amended in the following respect:

Paragraph (b) is amended to read as follows:

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: \$25.00.

This amendment shall become effective June 18, 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10338; Filed, June 17, 1946;  
11:42 a. m.]

[MPR 591, Order 625]

#### PARAGON UTILITIES CORP.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 13 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum price, f. o. b. point of shipment, for sales by any person of the following kitchen sink cabinet unit

complete with steel undersink cabinet, vitreous china sink and tray fixture with fittings and trimmings, manufactured by the Paragon Utilities Corporation and described in the application dated May 4, 1946, shall be:

(1) On sales to consumers.

Hostess 66.....\$221.18

(2) On sales to dealers the maximum net price, f. o. b. point of shipment shall be the list price specified in (a) (1) above less a discount of 40 percent with an additional discount of 5 percent granted on carload shipments.

(b) In addition to the discount provided for in (a) above the maximum prices established by this order shall be subject to discounts and allowances including transportation allowances, and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(c) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(d) Each seller of the commodity covered by this order, except on sales to customers shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers except dealers upon resale.

(e) The Paragon Utilities Corporation shall stencil in a conspicuous place on each kitchen sink cabinet unit, covered by this order, the following:

OPA Maximum Consumer Price \$221.18

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 18, 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10338; Filed, June 17, 1946;  
11:43 a. m.]

[RMPR 528, Order 119]

#### GOODYEAR TIRE AND RUBBER CO.

#### AUTHORIZATION OF MINIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail price for a 10.50 x 1.75 Semi-Solid Lawn Mower type tire manufactured by The Goodyear Tire & Rubber Company, Inc., Akron, Ohio, shall be \$1.90 each.

(b) All provisions of RMPR 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective June 18, 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10377; Filed, June 17, 1946;  
4:50 p. m.]

[RMPR 528, Order 120]

#### FIRESTONE TIRE & RUBBER CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 16 (d) of Revised Maximum Price Regulation 528, *It is ordered:*

(a) The maximum retail prices for the following size Rock Grip Excavator type tire manufactured by The Firestone Tire & Rubber Company, Akron, Ohio, shall be:

Size	Ply	Maximum retail price, each	
		Rayon construction	Cotton construction
7.50-20.....	12.....	\$82.10	\$78.20

(b) All provisions of RMPR 528 not inconsistent with this order shall apply to sales covered by this order.

(c) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective June 18, 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10378; Filed, June 17, 1946;  
4:50 p. m.]

[RMPR 136, Order 647]

#### BAKERY MACHINERY AND EQUIPMENT

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion, issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 31 of Revised Maximum Price Regulation 136, *It is ordered:*

(a) As used in this order, the phrase "bakery machinery and equipment" means the following machinery, mechanical accessories (such as repair and replacement parts and interchangeable parts) and mechanical equipment when designed and sold primarily for use in the bakery trades for the preparation, processing or packaging of bakery products. The listings below are definitive and this order does not apply to any machinery or equipment not listed herein.

Aerating machines.  
Air conditioning units only—dough rooms, proof boxes, cooling rooms.  
Beaters, marshmallow.  
Bins, flour dump.  
Bins, flour storage.  
Blenders, flour.  
Bolting reels, flour.



Brakes, dough.  
 Cleaners, sack.  
 Cleaning machines, fruit.  
 Cookers, pretzel.  
 Cookie droppers, wire cut.  
 Coolers, bread, automatic.  
 Coolers, bread, rack type.  
 Cutters, cookie.  
 Cutters, die pastry table.  
 Cutters for cutting machines.  
 Cutters, noodle.  
 Cutting machines, biscuit, pretzel and crackers.  
 Depositors, cake batter.  
 Depositors, cookie batter.  
 Depositors, marshmallow.  
 Dividers.  
 Dryers, macaroni.  
 Dusters, roll board.  
 Elevators, flour.  
 Emulsifiers and homogenizers.  
 Extenders.  
 Fat melters.  
 Fillers, cake.  
 Filling machines.  
 Greasers, pan.  
 Hoist, trough.  
 Hoppers, dough reservoir.  
 Hoppers, flour, traveling.  
 Hoppers, flour, stationary.  
 Icing machines, cake.  
 Kneaders, macaroni.  
 Mixers.  
 Moulders.  
 Ovens.  
 Pans, baking, bread, cake, cookie, cracker, roll, bun, pies, roast, specialty, display, delivery, but not including any pans made of aluminum or stainless steel construction.  
 Pastry production equipment.  
 Pie machines.  
 Presses.  
 Proof boxes.  
 Proofers.  
 Racks, all.  
 Retarding equipment.  
 Rimmers, pie.  
 Rolling machines.  
 Rounders.  
 Rubbing and creaming machines.  
 Salting machines.  
 Sandwich machines.  
 Sheeters, dough.  
 Shelves, bread and proof.  
 Sifters.  
 Slicers, bread, cake and roll.  
 Spraying machines, oil.  
 Stackers.  
 Tables, bread sorting.  
 Tables, packing.  
 Tanks, pan and rack cleaning.  
 Tanks, water tempering, measuring.  
 Tanks, water tempering, weighing.  
 Topping machines, sugar.  
 Trays.  
 Trays, cooling.  
 Trimmers, pie.  
 Troughs.  
 Twisting machines, loaf.  
 Twisting machines, pretzel.  
 Unloaders, bowl.  
 Wafer machines, sugar.  
 Wrapping machines, bread, automatic.  
 Wrapping machines, bread, semi-automatic.  
 Wrapping machines, bread, hand.  
 Wrapping machines, cake.  
 Wrapping machines, pie.

All repair and replacement parts for the machinery and equipment listed above, except saw blades and knife blades.

Upon application by a manufacturer, OPA at Washington, D. C., may include in this definition additional machinery or equipment if it appears to be specifically designed for use in baking operations.

(b) As used in this order, the phrase "base prices" shall mean the maximum prices established under section 7 or computed under sections 8, 9 or 10 of Revised Maximum Price Regulation 136 before the addition of any increase provided to an individual manufacturer by individual adjustment under the provisions of Revised Maximum Price Regulation 136 or Supplementary Order No. 142.

(c) *Manufacturers' maximum prices.* The maximum prices for sales by manufacturers of bakery machinery and equipment shall be:

(1) The manufacturers' base prices as defined in (b) above, increased by 9%, except that,

(2) If the manufacturers' base prices are approved by OPA as "in-line" prices under section 9 (c) of Revised Maximum Price Regulation 136, subsequent to June 18, 1946, the maximum prices shall be the prices so approved.

(d) *Resellers' maximum prices.* The maximum prices for sales of any bakery machinery and equipment by a reseller shall be the maximum prices in effect just prior to the issuance of this order, increased by the dollars-and-cents amount by which his net invoiced cost has been increased by reason of this order.

(e) *Discounts, allowances, etc.* All prices established under paragraphs (c) and (d) shall be subject to the same discounts, deductions and other allowances in effect to any purchasers and classes of purchasers just prior to the issuance of this order.

(f) Every manufacturer of bakery machinery and equipment shall give written notice to his resellers of the dollars-and-cents amount by which this order permits the reseller to increase his maximum prices.

(g) Notwithstanding any of the provisions of this order, a manufacturer of bakery machinery and equipment may charge and collect the maximum prices for sales of his products which he had in effect just prior to the issuance of this order.

(h) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective June 18, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
 Administrator.

[F. R. Doc. 46-10434; Filed, June 18, 1946;  
 11:42 a. m.]

[MPR 580, Am. 1 to Order 219]

BYER-ROLNICK Co.

#### ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Amendment 1 to Order 219. Establishing ceiling prices at retail for certain articles: Docket No. 6063-580-13-693.

For the reasons set forth in the opinion issued simultaneously herewith, Order 219 issued under section 13 of Maximum Price Regulation 580 on application of Byer-Rolnick Company, Gar-

land, Texas is amended in the following respects:

1. Paragraph (a) is amended by adding the following:

MEN'S HATS	
Manufacturer's selling price (per dozen)	Ceiling price at retail (per unit)
\$84.00	\$12.50
105.00	15.00
125.00	20.00

2. Paragraph (d) is amended by adding thereto the following undesignated paragraph:

Upon issuance of any amendment to this order which either adds an article to those already listed in paragraph (a) or changes the retail ceiling price of a listed article, the manufacturer or wholesaler, as to such article, must comply with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this order. However, the pricing provisions of this order or of any subsequent amendment thereto shall apply as of the effective date of the order or applicable amendment.

3. Paragraph (e) is amended by adding thereto the following sentence: "The seller shall also send the purchaser a copy of each amendment at the time of or before the first delivery (subsequent to the effective date of the amendment) of any article the sale of which is affected in any manner by the amendment."

This amendment shall become effective June 19, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
 Administrator.

[F. R. Doc. 46-10458; Filed, June 18, 1946;  
 11:46 a. m.]

[MPR 580, Amdt. 2 to Order 283]

KLEINERT'S

#### ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Amendment 2 to Order 283. Establishing ceiling prices at retail for certain articles: Docket No. 6063-580-13-698.

For the reasons set forth in the opinion issued simultaneously herewith, Order No. 283 issued under section 13 of Maximum Price Regulation 580 on application of Kleinert's, 485 Fifth Avenue, New York, New York, is amended in the following respect:

1. A new paragraph (h) is added to read as follows:

(h) Until July 14, 1946, the provisions of paragraph (d) are suspended insofar as Kleinert's is directed to preticket all dress shields for which a retail price is established in this order. However, the provisions of paragraph (d) are and



shall remain in full force and effect insofar as they apply to purchasers for resale, who may not offer or sell such dress shields after July 14, 1946, unless they are ticketed in accordance with the requirements of paragraph (d).

This amendment shall become effective June 19, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10459; Filed, June 18, 1946;  
11:46 a. m.]

[MPR 580, Amdt. 2 to Order 79]

LANE CO., INC.

#### ESTABLISHMENT OF MAXIMUM PRICES

Maximum Price Regulation 580, Amendment 2 to Order 79. Establishing ceiling prices at retail for certain articles; Docket No. 6063-580-13-690.

For the reasons set forth in the opinion issued simultaneously herewith, Order 79 issued under section 13 of Maximum Price Regulation 580 on application of The Lane Company, Inc., Altavista, Virginia, is amended in the following respects:

1. Paragraph (a) is amended by adding the following:

Article	Manufacturer's unadjusted selling price	Ceiling price at retail
Cedar chest.....	\$31.35	\$50.95

2. The heading to the fourth column in paragraph (a) is amended by deleting the words "Manufacturer's Price Line" and substituting therefor the words "Manufacturer's Unadjusted Selling Price."

3. The undesignated subparagraph in paragraph (a), added to paragraph (a) by Amendment 1 to this order, beginning with the words "The retail ceiling price" and ending with the words "other article in this paragraph (a)", is deleted and a new paragraph (g) substituted therefor, to read as follows:

The retail ceiling price of an article stated in paragraph (a) shall apply to any other article of the same type, having the same unadjusted selling price to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this order.

4. Paragraph (c) is amended by adding thereto the following undesignated paragraph:

Upon issuance of any amendment to this order which either adds an article to those already listed in paragraph (a) or changes the retail ceiling price of a listed article, the manufacturer or wholesaler, as to such article, must comply with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60 day

period, unless the article is so ticketed, the retailer shall comply with the marking, tagging and posting provisions of Maximum Price Regulation 580. However, the pricing provisions of this order or of any subsequent amendment thereto shall apply as of the effective date of the order or applicable amendment.

5. Paragraph (d) is amended by adding thereto the following sentence: "The seller shall also send the purchaser a copy of each amendment at the time of or before the first delivery (subsequent to the effective date of the amendment) of any article the sale of which is affected in any manner by the amendment."

This amendment shall become effective June 19, 1946.

Issued this 18th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10457; Filed, June 18, 1946;  
11:45 a. m.]

[SO 133, Order 52]

ALMA DESK CO.

#### ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to Supplementary Order No. 133, it is ordered:

(a) *Manufacturer's maximum prices.* The Alma Desk Company, High Point, North Carolina, may increase by 7.0 percent, its current maximum prices (exclusive of any permitted increases) for sales of wood office desks and tables which it manufactures.

(b) *Maximum prices of purchasers for resale.* Resellers of any article which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum prices as follows:

A reseller who had a properly established maximum price in effect before this order was issued for an article covered by this order may add to that maximum price an adjustment charge in the same dollar-and-cents amount as the adjustment charge authorized by this order for, and which he has paid to, his supplier.

If the reseller did not have a properly established maximum price for the article in effect before this order was issued he shall first determine a maximum price (exclusive of adjustment charges), and to that price he may add an adjustment charge in the same dollar-and-cents amount as the adjustment authorized by this order for, and which he has paid, to his supplier. To find his maximum price (exclusive of adjustment charges) for this purpose the reseller shall add to his invoice cost, less an adjustment charge stated on that invoice, the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is the one which meets all of the following tests:

(i) It belongs to the narrowest trade category which includes the article being priced.

(ii) Both it and the article being priced were purchased from the same class of supplier.

(iii) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(iv) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling prices, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(c) *Terms of sale.* Maximum prices adjusted by this order are subject to each seller's terms, discounts, allowances, and other price differentials, in effect during March 1942, or which have been properly established under the applicable OPA regulation.

(d) *Notification.* At the time of, or prior to, the first invoice to a purchaser for resale showing a maximum price adjusted in accordance with the terms of this order, the seller shall notify such purchaser in writing of the methods established in paragraph (b) for determining adjusted maximum prices for sales of the articles covered by this order. This notice may be given in any convenient form.

(e) *Reports.* The manufacturer shall file the report described in section 5 of Supplementary Order No. 133 with the Office of Price Administration, Washington 25, D. C.

(f) *Revocation or amendment.* This order may be revoked or amended by the Price Administrator at any time.

(g) The provisions of Supplementary Order No. 153 shall not apply to resale prices of articles covered by this order.

(h) *Effective date.* This order shall become effective on the 18th day of June 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10340; Filed, June 17, 1946;  
11:42 a. m.]

[Rev. SO 119, Order 259]

SCOVILL MFG. CO.

#### DETERMINATION OF MAXIMUM PRICES

Order No. 259 Under Revised Supplementary Order No. 119. Scovill Manufacturing Company, Sturgis, Michigan. Docket No. 6123-RSO.119-112.

For the reasons set forth in an opinion issued simultaneously herewith and filed



with the Division of the Federal Register and pursuant to section 13 of Revised Supplementary Order No. 119; it is ordered:

(a) *Maximum prices for Scovill Manufacturing Company, Sturgis, Michigan.*

(1) The above manufacturer may determine his maximum prices for his line of water closet tank fittings by increasing by 23.8 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 259 under Revised Supplementary Order No. 119 authorizes a 23.8 percent increase in October 1, 1941 net prices for sales of water closet tank fittings manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual dollars-and-cents increase in cost resulting from the adjustment granted by Order No. 259.

(d) All prayers for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective June 18, 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10339; Filed, June 17, 1946;  
11:41 a. m.]

[MPR 610, Order 1]

FEDERAL MOTOR TRUCK CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed

with the Division of the Federal Register, and pursuant to section 8 of Maximum Price Regulation 610, It is ordered:

(a) Federal Motor Truck Company, Detroit, Michigan, hereinafter called the Company, is authorized to sell each Federal motor truck containing a chassis described in paragraph (1) below at a price not to exceed the total of the following charges:

(1) *Charge for the new truck chassis.* A charge for the new truck chassis not to exceed the applicable net wholesale price in the following schedule subject to the discounts, allowances, and terms of delivery in effect on January 1, 1941.

Model No.	Description	Net wholesale price	List price
16M	Chassis, truck, 13,000 pounds gross vehicle weight; 1942 standard specifications and equipment of Model 16, excepting the following modifications and additions: Hercules JXF engine instead of Hercules JXE engine; hand brake mounting on left side of chassis instead of on transmission; solid bushing and ground pin mounting instead of rubber bushing mounting; hydrovac booster and connections instead of BK pusher type booster; air cleaner—oil bath type; side cowl ventilators; brake—BK R-P60 booster; oil filter—replaceable cartridge type; springs—oversize (3") rear including auxiliary; gas tank—side mounted; bumper—channel type front pointed instead of spring type; sealed beam headlamps with parking lamps and beam indicator, voltage regulator and 17 plate battery; oversize front springs; 7.50 x 20 8-ply front and dual rear synthetic tires on Dayton cast wheels instead of 6.00 x 20 6-ply front and single rear—(wheelbase):		
	135"-----	\$1,054.98	\$1,328
	146"-----	1,090.29	1,372
	155"-----	1,100.37	1,384
	167"-----	1,130.64	1,421
	180"-----	1,165.95	1,465
	194"-----	1,196.21	1,502
18M	Chassis, truck, 15,000 pounds gross vehicle weight; 1942 standard specifications and equipment of Model 18, excepting the following modifications and additions: counter-balanced crankshaft; hand brake mounting on left side of chassis instead of on transmission; solid bushing and ground pin mounting instead of rubber bushing mounting; hydrovac booster and connections instead of BK pusher type booster; air cleaner—oil bath type; side cowl ventilators; gas tank—side mounted; sealed beam headlamps with parking lamps and indicator; bumper—channel type front instead of spring type; hydraulic lifting jack, 3 ton, instead of mechanical type; rear axle—54411 instead of 53308; 8.25 x 20 10-ply front and dual rear synthetic rubber tires instead of 6.00 x 20 6-ply front and dual rear natural rubber tires.		
	Wheelbase		
	135"-----	1,405.16	1,777
	146"-----	1,440.01	1,820
	155"-----	1,449.96	1,832
	167"-----	1,479.83	1,869
	180"-----	1,514.68	1,913
	194"-----	1,544.54	1,950

Model No.	Description	Net wholesale price	List price
18M2	Chassis, truck, 15,000 pounds gross vehicle weight; standard specifications and equipment as shown for Model 18M, above, excepting the following modification: Timken 2-speed rear axle 94425 with vacuum shifting device instead of axle No. 54411.		
	Wheelbase		
	135"-----	\$1,532.88	\$1,937
	146"-----	1,567.72	1,980
	155"-----	1,577.68	1,993
	167"-----	1,607.55	2,030
	180"-----	1,642.39	2,073
	194"-----	1,672.26	2,110

(2) *Charges for extra or optional equipment.* A charge for each item of extra or optional equipment, not to exceed 131.39 percent of the net wholesale price in effect on January 1, 1941 for each such item of extra or optional equipment to the applicable class of purchaser, subject to the discounts, allowances and terms of delivery in effect on that date.

The Company shall compute the net wholesale price for each item of extra or optional equipment by applying the above percentage to the net wholesale price in effect on January 1, 1941, and shall compute the list price of each item of extra or optional equipment by multiplying the adjusted net wholesale price by 122.06 percent. The Company shall file the dollar and cents net wholesale and list prices for each item of extra or optional equipment with the National OPA Office, Automotive Branch, within 48 hours after such adjusted prices are established. In the event the Company reduces any net wholesale price, it shall file the new net wholesale price so established within 48 hours after the reduced price is established and shall immediately comply with the provisions of section 8 (h) of Maximum Price Regulation 610.

(3) *Charge for freight.* A charge to cover freight expense computed in accordance with the method the Company had in effect on March 31, 1942, plus transportation tax at the current legal rate.

(4) *Charge for Federal excise taxes.* A charge to cover Federal excise taxes, at the current legal rate, computed in accordance with the method the Company had in effect on March 31, 1942.

(5) *Charge for factory handling and delivery.* A charge to cover factory handling and delivery computed by using the same rate and method the Company had in effect on March 31, 1942, except as provided in the following sentence: In the case of a sale to a user, the amount that may be included in the handling and delivery charge for preparing and conditioning operations shall be determined in accordance with section 10 (g) of Maximum Price Regulation 610.

NOTE.—As required by section 12 of Maximum Price Regulation 610, the Company shall notify resellers of list prices for the vehicle of base specifications and extra or optional equipment and shall notify resellers that they must use such list prices in determining maximum prices in accordance with section 10.



(b) *Sales by resellers in the continental United States.* A reseller may sell and deliver at its place of business each of the new Federal motor trucks containing a chassis described in paragraph (a) (1) at a price not to exceed the total of the following applicable charges:

(1) *Charge for the new truck chassis.* A charge for the new truck chassis not to exceed the applicable list price set forth in paragraph (a) (1). The Company will notify all resellers of the list prices authorized in this order.

(2) *Charge for extra or optional equipment.* A charge for each item of extra or optional equipment not to exceed the list price which the Company shall determine in accordance with paragraph (a) (2). The Company will notify all resellers of the list prices authorized in this order.

(3) *Other charges.* Charges permitted by section 10 of Maximum Price Regulation 610 when applicable to the sale.

(c) *Sales by resellers in the territories and possessions of the United States.* A reseller may sell and deliver in a territory or possession of the United States each of the new Federal motor trucks containing a chassis described in paragraph (b) (1) at a price not to exceed the maximum price it may charge under paragraph (b), to which it may add a sum equal to the expense incurred by or charged to it for: Payment of territorial and insular taxes on the purchase, sale or introduction of the new truck and extra or optional equipment in the territory or possession, when not charged under paragraph (b); export premium; boxing and crating for export purposes; assembly costs, if any; marine and war risk insurance; landing, wharfage and terminal operations; ocean freight; freight to the port of embarkation when not charged under paragraph (b); and inland freight from the port of debarkation, by the most direct route to the reseller's place of business.

(d) All requests not granted herein are denied.

(e) This order may be amended or revoked by the Administrator at any time.

This order shall become effective June 17, 1946.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10379; Filed June 17, 1946;  
4:49 p. m.]

[MPR 610, Order 2]

INDIAN MOTORCYCLE CO.

#### AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 8 of Maximum Price Regulation 610, It is ordered:

No. 119—6

(a) *Indian Motorcycle Company, Springfield, Massachusetts, hereinafter called the Company* is authorized to sell each Indian motorcycle described in paragraph (1) below at a price not to exceed the total of the following charges:

(1) *Charge for the new motorcycle.* A charge for the new motorcycle not to exceed the net wholesale price in the following schedule subject to the discounts, allowances and terms of delivery in effect on January 1, 1941;

Model No.	Description	Net wholesale price	Retail list price
346B	Motorcycle, "74"; battery ignition; standard specifications and equipment of 1946 model.	\$444.50	\$561.00
346M	Motorcycle, "74"; magneto ignition; standard specifications and equipment of 1946 model.	459.50	580.00

(2) *Charges for extra or optional equipment.* A charge for each item of extra or optional equipment not to exceed the applicable net wholesale price in the following schedule subject to the discounts, allowances and terms of delivery in effect on January 1, 1941;

Model No.	Description	Net wholesale price	Retail list price
SCB-3	Sidecar (standard)	\$131.93	\$165.95
SCB-4	Sidecar (sport); chrome trim	137.00	172.35
VCB-3	Van without cover, complete with chassis	116.70	146.80
VCB-4	Van with cover, complete with chassis	137.00	172.35
VC-26	Chassis only	81.19	102.15
	Four-speed transmission	9.13	11.50
	Generators; heavy duty type; standard on factory installed radio machines	3.04	3.80
	Exhaust covers (chrome)	1.54	2.20
	Fire extinguisher—pyrene	16.24	20.45
	First aid kit, complete with contents	8.63	10.85
	Handlebars (chrome), extra	4.06	5.10
	Handlebar cross bar (chrome)	2.64	3.80
	Legshields only for motorcycle	7.62	9.60
	Luggage carrier	4.40	6.35
	Pedal pads, set of 3; rubber	.81	1.25
	Rear view mirror; black	1.01	1.55
	Rear view mirror; chrome	2.23	3.45
	Reverse gear	13.71	17.25
	Saddle bags, streamline zipper style; tan or black	13.14	16.55
	Saddle bags, deluxe; large size—new type; tan or black	15.17	19.10
	Safety guard, front or rear	4.84	6.95
	Sidecar apron	5.07	6.40
	Sidecar fender light	2.21	3.20
	Sidecar tail light	2.54	3.20
	Siren—Indian Sterling	25.37	31.90
	Spare wheel carrier	7.10	8.95
	Speedometer—maximum hand and trip odometer, extra	3.56	4.50
	Spotlight, chromium (white)	2.86	4.10
	Spotlight, chromium (red)	3.09	4.45
	Steering damper	4.36	6.25
	Tires, 4-ply, per pair extra	1.93	2.45
	Tires, 5.00 x 16; with rim, each, extra	2.54	3.20
	Wheel rims (cadmium) each, extra	1.01	1.25
	Wheel rims (chrome), each, extra	4.06	5.10
	Wheel rings (chrome), set of four	4.40	6.35
	Windshield and legshields complete (deluxe)	16.24	20.45
	Windshield and legshields combination (utility)	13.95	17.55
	Windshield only for motorcycle (deluxe)	11.16	14.05
	Windshield only for motorcycle (utility)	10.15	12.75
	Windshield, sport	6.60	8.30
	Windshield with jiffy curtains for sidecar	15.22	19.15

(3) *Charge for freight.* A charge to cover freight expense computed in accordance with the method the Company had in effect on March 31, 1942, plus transportation tax at the current legal rate.

(4) *Charge for Federal excise taxes.* A charge to cover Federal excise taxes, at the current legal rate, computed in accordance with the method the Company had in effect on March 31, 1942.

(5) *Charge for factory handling and delivery.* A charge to cover factory handling and delivery computed by using the same rate and method the Company had in effect on March 31, 1942, except as provided in the following sentence. In the case of a sale to a user, the amount that may be included in the handling and delivery charge for preparing and conditioning operations shall be determined in accordance with section 10 (g) (3) of Maximum Price Regulation 610.

NOTE: As required by section 12 of Maximum Price Regulation 610, the Company shall notify resellers of list prices for the vehicle of base specifications and extra or optional equipment and shall notify resellers that they must use such list prices in determining maximum prices in accordance with section 10.

(b) *Sales by resellers in the Continental United States.* A reseller may sell and deliver at its place of business each of the new Indian motorcycles described in paragraph (a) (1) at a price not to exceed the total of the following applicable charges:

(1) *Charge for the new motorcycle.* A charge for the new motorcycle not to exceed the applicable list price set forth in paragraph (a) (1).

(2) *Charge for extra or optional equipment.* A charge for each item of extra or optional equipment not to exceed the applicable list price set forth in paragraph (a) (2).

(3) *Other charges.* Other charges permitted by section 10 of Maximum Price Regulation 610 when applicable to the sale.

(c) *Sales by resellers in the territories and possessions of the United States.* A reseller may sell and deliver in a territory or possession of the United States each of the new Indian motorcycles containing a chassis described in paragraph (b) (1) at a price not to exceed the maximum price it may charge under paragraph (b), to which it may add a sum equal to the expense incurred by or charged to it for: Payment of territorial and insular taxes on the purchase, sale or introduction of the new truck and extra or optional equipment in the territory or possession, when not charged under paragraph (b); export premium; boxing and crating for export purposes; assembly costs, if any; marine and war risk insurance; landing, wharfage and terminal operations; ocean freight; freight to the port of embarkation when not charged under paragraph (b); and inland freight from the port of debarkation, by the most direct route to the reseller's place of business.

(d) All requests not granted herein are denied.

(e) This order may be amended or revoked by the Administrator at any time.



This order shall become effective June 17, 1946.

Issued this 17th day of June 1946.

PAUL A. PORTER,  
Administrator.

[F. R. Doc. 46-10380; Filed, June 17, 1946;  
4:49 p. m.]

### Regional and District Office Orders.

[Jackson Rev. Order G-1 Under Gen. Order  
50, Amdt. 3]

### MALT AND CEREAL BEVERAGES IN MISSISSIPPI AREA

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Jackson (Mississippi) District Office of Region IV of the Office of Price Administration by General Order No. 50, issued by the Administrator of the Office of Price Administration, and Regional Delegation Order No. 17; It is hereby ordered:

(1) Appendix A of said Revised Order No. G-1, as amended, is hereby amended so that the same shall read as follows instead of as originally written, to-wit:

#### APPENDIX A BOTTLED BEERS AND ALES

Commodity and brand or trade name	Size of bottle	Maximum prices for groups			
		1B	2B	3B	
<b>Beer:</b>	<b>Ounces</b>	<b>Cents</b>	<b>Cents</b>	<b>Cents</b>	<b>Cents</b>
Barbarosa	12	25	21	20	
Bay State	12	25	21	20	
Budweiser	12	25	21	20	
Canadian Ace	12	25	21	20	
Down's Art and Art	12	25	21	20	
Dorquest	12	25	21	20	
Embassy Club	12	25	21	20	
Gold Coast	12	25	21	20	
Gold Medal Tivoli	12	25	21	20	
Holland Premium	12	25	21	20	
Lambic	12	25	21	20	
Old Brew	12	25	21	20	
Oxford	12	25	21	20	
Pabst Blue Ribbon	12	25	21	20	
Peter Hand Extra Pale	12	25	21	20	
Pioneer Victory	12	25	21	20	
Ritz	12	25	21	20	
Schlitz	12	25	21	20	
Van Wyck	12	25	21	20	
Ziegler's 520	12	25	21	20	
<b>Ale:</b>					
Ballantine	12	25	21	20	
Buckingham	12	25	21	20	
Carling's Red Cap	12	25	21	20	
New England	12	25	21	20	
Red Lion	12	25	21	20	
Red Top	12	25	21	20	
<b>Imported beer and ale:</b>					
Carta Blanca Beer	12	35	32	30	
Cerveza Victoria Beer (6 1/2 oz. bottle)		25	22	20	
Corona Beer (11 oz. bottle)		32	29	27	
Doran's Export Beer	12	35	32	30	
Doran's Export Ale	12	35	32	30	
<b>All other brands of domestic or imported beer and ale not listed above and not listed in Appendix "B" hereof, including unlabeled beer and ale:</b>	12	20	16	15	
<b>Draught beer and ale:</b>					
8-ounce glass		9	8	8	
10-ounce glass		11	10	10	
12-ounce glass		13	12	12	
14-ounce glass		15	14	14	
16-ounce glass		17	16	16	

All Federal and State taxes are included in above prices except: Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected. All sellers may add to above price the Mississippi Sales Tax, if separately stated and collected. Only the exact amount of the tax may be

added. To illustrate, only 5 mills (or tokens) may be added to a maximum listed price of 25¢; one cent or 10 mills (tokens) may be added to the listed maximum price of 51¢.

All sellers who are required to, and pay the Mississippi "black market" tax of 10% levied on commodities, the sales of which are prohibited by law, as provided by House Bill No. 892, enacted by the Legislature of the State of Mississippi at the regular 1944 Session thereof, may add same to the maximum price listed above, if separately stated and collected.

Commodity and brand or trade name	Size of bottle	Maximum prices for groups			
		1B	2B	3B	
<b>Beer:</b>	<b>Ounces</b>	<b>Cents</b>	<b>Cents</b>	<b>Cents</b>	<b>Cents</b>
Barbarosa	32	51	47	42	
Bay State	32	51	47	42	
Budweiser	32	51	47	42	
Canadian Ace	32	51	47	42	
Down's Art and Art	32	51	47	42	
Dorquest	32	51	47	42	
Embassy Club	32	51	47	42	
Gold Coast	32	51	47	42	
Gold Medal Tivoli	32	51	47	42	
Holland Premium	32	51	47	42	
Lambic	32	51	47	42	
Old Brew	32	51	47	42	
Oxford	32	51	47	42	
Pabst Blue Ribbon	32	51	47	42	
Peter Hand Extra Pale	32	51	47	42	
Pioneer Victory	32	51	47	42	
Ritz	32	51	47	42	
Schlitz	32	51	47	42	
Van Wyck	32	51	47	42	
Ziegler's 520	32	51	47	42	
<b>Ale:</b>					
Ballantine	32	51	47	42	
Buckingham	32	51	47	42	
Carling's Red Cap	32	51	47	42	
New England	32	51	47	42	
Red Lion	32	51	47	42	
Red Top	32	51	47	42	
<b>Imported beer and ale:</b>					
Carta Blanca Beer	32				
Cerveza Victoria Beer (6 1/2 oz. bottle)		25	22	20	
Corona Beer (11 oz. bottle)		32	29	27	
Doran's Export Beer	32				
Doran's Export Ale	32				
<b>All other brands of domestic or imported beer and ale not listed above and not listed in Appendix "B" hereof, including unlabeled beer and ale:</b>	32	46	41	37	
<b>Draught beer and ale:</b>					
8-ounce glass		9	8	8	
10-ounce glass		11	10	10	
12-ounce glass		13	12	12	
14-ounce glass		15	14	14	
16-ounce glass		17	16	16	

All Federal and State taxes are included in above prices except: Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected. All sellers may add to above price the Mississippi Sales Tax, if separately stated and collected. Only the exact amount of the tax may be added. To illustrate, only 5 mills (or tokens) may be added to a maximum listed price of 25¢; one cent or 10 mills (tokens) may be added to a maximum listed price of 51¢.

All sellers who are required to, and pay the Mississippi "black market" tax of 10% levied on commodities, the sales of which are prohibited by law, as provided by House Bill No. 892, enacted by the Legislature of the State of Mississippi at the regular 1944 Session thereof, may add same to the maximum price listed above, if separately stated and collected.

(2) Appendix B of said Revised Order No. G-1, as amended, is hereby amended so that the same shall read as follows instead of as originally written, to-wit:

#### APPENDIX B

NOTE: This Appendix B fixes maximum prices for all groups of sellers on certain so-called "intermediate priced" beers and ales. A seller may not establish his group on the basis of the prices given in Appendix B but

must determine his group on the basis of the prices given for the other brands covered by Appendix A.

Commodity and brand or trade name	Size of bottle	Maximum prices for groups			
		1B	2B	3B	
<b>Beer:</b>	<b>Ounces</b>	<b>Cents</b>	<b>Cents</b>	<b>Cents</b>	<b>Cents</b>
Burger Brau	12	20	18	17	
Birks Trophy	12	20	18	17	
Black Hawk Topping	12	20	18	17	
Bohemian Premium	12	20	18	17	
Capital	12	20	18	17	
Commander Special Pilsener	12	20	18	17	
D. R. Premier	12	20	18	17	
Ebling's Extra	12	20	18	17	
Fredericks 4 Crown Special	12	20	18	17	
Frontier	12	20	18	17	
Golden Glow (Blumer Brewing Co.)	12	20	18	17	
Heinie's	12	20	18	17	
Horsehead	12	20	18	17	
Keller's Topaz	12	20	18	17	
Lang's	12	20	18	17	
Lion	12	20	18	17	
McGovern Pilsener	12	20	18	17	
Morlein	12	20	18	17	
Nectar	12	20	18	17	
Perplies	12	20	18	17	
Red Fox	12	20	18	17	
Sepp'l Brau	12	20	18	17	
Silver Fox	12	20	18	17	
Silver Fox De Luxe	12	20	18	17	
Six Horse	12	20	18	17	
Staats	12	20	18	17	
20th Century Pale	12	20	18	17	
Yankee	12	20	18	17	
<b>Ale:</b>					
Spearman's English Type	12	20	18	17	
Red Fox	12	20	18	17	
<b>Beer:</b>					
Burger Brau	32	46	43	39	
Birks Trophy	32	46	43	39	
Black Hawk Topping	32	46	43	39	
Bohemian Premium	32	46	43	39	
Capital	32	46	43	39	
Commander Special Pilsener	32	46	43	39	
D. R. Premier	32	46	43	39	
Ebling's Extra	32	46	43	39	
Fredericks 4 Crown Special	32	46	43	39	
Frontier	32	46	43	39	
Golden Glow (Blumer Brewing Co.)	32	46	43	39	
Heinie's	32	46	43	39	
Horsehead	32	46	43	39	
Keller's Topaz	32	46	43	39	
Lang's	32	46	43	39	
Lion	32	46	43	39	
McGovern Pilsener	32	46	43	39	
Morlein	32	46	43	39	
Nectar	32	46	43	39	
Perplies	32	46	43	39	
Red Fox	32	46	43	39	
Sepp'l Brau	32	46	43	39	
Silver Fox	32	46	43	39	
Silver Fox De Luxe	32	46	43	39	
Six Horse	32	46	43	39	
Staats	32	46	43	39	
20th Century Pale	32	46	43	39	
Yankee	32	46	43	39	
<b>Ale:</b>					
Spearman's English Type	32	46	43	39	
Red Fox	32	46	43	39	

All Federal and State taxes are included in the above prices except:

Sellers who are required to pay a Federal Excise Tax on cabarets may add same to above price if such tax is separately stated and collected. All sellers may add to above price the Mississippi Sales Tax, if separately stated and collected. Only the exact amount of the tax may be added. To illustrate, only 5 mills (or tokens) may be added to a maximum listed price of 25¢; one cent or 10 mills (tokens) may be added to the listed maximum price of 51¢.

All sellers who are required to, and pay the Mississippi "black market" tax of 10% levied on commodities, the sales of which are prohibited by law, as provided by House Bill No. 892, enacted by the Legislature of the State of Mississippi at the regular 1944 session thereof, may add same to the maximum price listed above, if separately stated and collected.

This amendment becomes effective June 12, 1946.



(56 Stat. 23, 765; 57 Stat. 566, Pub. Law 383, 78th Cong., E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681; G.O. 50, 8 F.R. 4808)

Issued at Jackson, Mississippi, this 10th day of June 1946.

WILLIAM E. HOLCOMB,  
District Director.

[F. R. Doc. 46-10280; Filed, June 14, 1946;  
4:33 p. m.]

[Twin Cities Rev. Order G-2 Under Gen.  
Order 68]

#### HARD BUILDING MATERIALS IN THE MINNEAPOLIS, MINN., AREA

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68 and to the authority duly vested in the District Director of the Twin Cities District Office of the Office of Price Administration, it is ordered:

**SECTION 1. What this order covers.** This order covers all retail sales made by any seller, except the manufacturer, of commodities specified in Appendix A, attached hereto, delivered to the purchaser in the Minneapolis, Minnesota Area. The Minneapolis, Minnesota Area for the purpose of this order shall be and constitute the Cities of Minneapolis and Robbinsdale, the Villages of St. Louis Park, Richfield, Edina and Bloomington, in the County of Hennepin, and the City of Columbia Heights in the County of Anoka, all in the State of Minnesota.

**SEC. 2. Definitions—(a) Retail sales.** For the purpose of this order, a retail sale means a sale to an ultimate user, or to any contractor: *Provided*, That for the purpose of this order, a "retail sale" shall not include any sale to the United States Government or any of its political subdivisions.

(b) *Contractor.* Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) *Applicators.* Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

**SEC. 3. Relation to other regulations.** The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in Appendix A. Except to the extent they are inconsistent with the provisions of this order, all other provisions of the regulations applicable to the commodities listed in Appendix A prior to the issuance of this order shall continue to apply to sales covered by this order.

**SEC. 4. Maximum price, discounts and delivery practices.** On and after the date

of this order, regardless of any contract, agreement or other obligation, no person covered by this order shall sell, offer to sell, or deliver at retail as herein defined, any of the items listed in Appendix A, attached hereto, at prices higher than the maximum prices set forth in this appendix. All prices are subject to all discounts, allowances, free deliveries, or other price differentials required to be maintained by the maximum price regulations covering the commodities listed in Appendix A prior to the issuance of this order.

**SEC. 5. Posting.** Every seller making sales covered by this order shall post a copy of the list of maximum prices for sales of the commodities contained in Appendix A of this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. In addition, he shall, if requested by any purchaser, make available to the purchaser for inspection his copy of this order including Appendix A containing the list of maximum prices. There is attached to this order for your convenience, two copies of its Appendix containing the items covered with respective maximum prices applicable. One such copy of such list may be detached and used as a poster hereinbefore required to be posted.

**SEC. 6. Sales slips and records.** Every seller covered by this order must provide the purchaser, whether he requests it or not, with a sales slip, invoice, receipt, or other evidence of sale of which an exact and full copy shall be retained by the seller for the duration of the Emergency Price Control Act of 1942, as amended. The sales slip or other evidence of sale shall contain the following information with respect to items subject to this order.

1. Name and address of seller.
2. Date of sale.
3. Name and address of purchaser (necessary only on sales of items totaling \$7.50 or more).
4. Description of the item sold, including quantity, grade, and any other matter insofar as any of these matters may effect the price, in full detail necessary to permit the exact calculation of the applicable maximum price.
5. Charge, if any, for delivery beyond the free delivery zone (to be separately listed from the price of the item).
6. The total price.

Each such seller shall also keep such records of each sale as he customarily kept.

**SEC. 7.** On and after the effective date of this order any person covered by this order who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceeding and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended.

No person subject to this order may evade any of the provisions of the order structure services and sales of installed by any stratagem, scheme, or device. No person subject to this order, may as a condition of selling any particular building material, require a customer to buy

anything else. Any such evasion is punishable as a violation of this order.

**SEC. 8. Revocation of Order No. 2 under General Order No. 68.** This order specifically revokes and supersedes in its entirety order No. 2 issued November 30, 1945, including Appendix attached thereto, and Amendment No. 1 to Order No. 2, issued January 11, 1946, under the authority of General Order No. 68.

**SEC. 9. Appendix A.** Appendix A, Maximum prices for retail sales of hard building materials in the Minneapolis, Minnesota Area, is attached hereto and made a part hereof.

This order may be modified, amended, or revoked at any time.

This order shall become effective May 10, 1946.

Issued this 10th day of May 1946.

CAREL C. KOCH,  
District Director.

#### APPENDIX A—MAXIMUM DELIVERED OR F. O. B. YARD PRICES TO CONSUMERS AND CONTRACTORS

Item and unit	Maximum prices
Plaster, hard wall, paper sack-----	\$0.95
Plaster, moulding, paper sack-----	1.20
Plaster, gauging, White Star or similar (white), per ton-----	24.00
Plaster, gauging, Fort Dodge or similar (gray), per bag-----	.95
Keene's Cement, paper sack-----	1.75
Portland Cement, white, paper sack-----	.84 1/4
Portland cement, white, paper sack-----	2.12 1/2
Hi-Early cement, paper sack-----	.95 1/2
Finishing lime, paper sack-----	.65
Masonry mortar, cloth bag-----	.69 1/4
Metal lath, 2.5-lb. painted, diamond mesh, 26 gauge, sq. yd-----	.23
Metal lath, 3.4-lb. painted, diamond mesh, 24 gauge, sq. yd-----	.26
Metal lath, 3.4-lb. galvanized, 24 gauge, sq. yd-----	.30
Metal lath, 3.4-lb. copper bearing, sq. yd-----	.27
Metal lath, corner bead, straight edges, per lineal ft-----	.03 1/2
Metal lath, expanded type, per lineal ft-----	.04
Mason's hydrated lime, 50-lb. paper sack-----	.40
Gypsum lath, 3/8-lb., sq. yd-----	.20
Gypsum block—partitions, 3" hollow, sq. ft-----	.07
Gypsum block—partitions, 4" hollow, sq. ft-----	.10
Clay drain tile, 4", lin. ft-----	.08
Clay drain tile, 6", lin. ft-----	.10
Vitrified clay sewer pipe, 4", lin. ft-----	.23
Vitrified clay sewer pipe, 6", lin. ft-----	.26
Flue lining, 8 x 8, lin. ft-----	.40
Flue lining, 8 x 12 lin. ft-----	.54
Flue lining, 12 x 12 lin. ft-----	.70
Hollow building tile, partition, 4 x 12 x 12, per M-----	103.50
Hollow building tile, 5 x 8 x 12, load bearing, per M-----	103.50
Fire clay—paper bags, per bag-----	1.12

[F. R. Doc. 46-10282; Filed, June 14, 1946;  
4:34 p. m.]

[Region VII Order G-16 Under RMPR 251,  
Amdt. 1]  
INSTALLED INSULATION IN BOISE, IDAHO,  
DISTRICT

Order No. G-16 Under Revised Maximum Price Regulation No. 251. Construction services and sales of installed building materials. Amendment No. 1. Sales of installed insulation in the Boise District. Docket No. 7-251-9-19 (a).

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,



and pursuant to the authority vested in the Regional Administrator of Region VII of the Office of Price Administration by the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and by section 9 of

Revised Maximum Price Regulation No. 251, Order No. G-16 under Revised Maximum Price Regulation No. 251, Sales of Installed Insulation in the Boise District, is hereby amended in the following respects:

1. In section 4 strike out all of the tables showing maximum prices per square foot of area appearing as pages 3, 4, 5, 6, 7, and the first two paragraphs on page 8 of the order and insert in lieu thereof the following:

MAXIMUM PRICES PER SQUARE FOOT OF AREA

Categories	Table 1 Min- eral wool 4" depth	Table 2 Expanded mica and other min- eralized materials containing minerals in excess of 50%—4" depth	Table 3 Loose materials containing chemicals in excess of 25% fire resistant not less than 1,200°	Table 4 Other loose mate- rials 4" depth	Table 5 Batts or blan- kets 3" thick- ness or over	Categories	Table 1 Min- eral wool 4" depth	Table 2 Expanded mica and other min- eralized materials containing minerals in excess of 50%—4" depth	Table 3 Loose materials containing chemicals in excess of 25% fire resistant not less than 1,200°	Table 4 Other loose mate- rials 4" depth	Table 5 Batts or blan- kets 3" thick- ness or over
<b>EXPOSED CEILINGS</b>						<b>FLOORS OVER UNEYCAVATED AREAS</b>					
(1) Open attics with over 24" clear- ance to roof—Drawing 1.....	\$0.14	\$0.12	\$0.09	\$0.06	\$0.14	(Prices do not include cost of retaining material)					
(2) Under flat built up roofs (sus- pended ceiling); open blowing conditions (price includes cost of opening and closing for area)— Drawing 2.....	.15	.13	.10	.07	.15	(15) Batts and blankets—Drawing 15.....					\$0.18
<b>COVERED CEILINGS</b>						(16) 4" fill blown in over retaining material—Drawing 16.....	\$0.16	\$0.14	\$0.11	\$0.08	.16
(Prices include the cost of remov- ing and replacing flooring)						<b>SLOPING AREAS</b>					
(3) Open attics with a single rough flooring and accessible—Drawing 3.....	.15	.13	.10	.07	.15	(Prices do not include opening or closing)					
(4) Open attics with finished single floors—Drawing 4.....	.15	.13	.10	.07	.15	(17) All slopes where closed and finished on the interior side of the rafters—Drawing 17.....	.16	.14	.11	.08	.16
(5) Open attics with double floors, the top floor finished.....	.18	.16	.13	.10	.18	(18) Open rafters and slopes where batts or blankets are used, such as pocket outside of knee walls where blow is impracticable— Drawing 18.....					.17
<b>FLAT CEILINGS IN CLOSED SPACES</b>						(19) Open rafters and slopes. Ap- plication of batts or blankets— Drawing 19. (No retainer used).....					.17
(6) Flat ceilings in closed spaces under pitched or sloping roofs where opening in roof is nec- essary, such as pocket areas behind knee walls, areas under roof ridges or extensions which are practically flat—Drawing 6:						<b>KNEE WALLS, PARTITIONS, AND STAIRWELLS AND APPURTENANCES</b>					
(a) Unfloored.....	.14	.12	.09	.06	.14	(20) Interior plastered walls where no decoration is necessary except plaster patching—Drawing 20. (Price includes opening and clos- ing of plastered walls).....	.17	.15	.12	.09	.17
(b) Floored:						(21) Knee walls—Drawing 21:					
(i) With single rough floor.....	.15	.13	.10	.07	.15	(a) Batts and blankets.....	.14	.12	.09	.06	.14
(ii) With single finished floor.....	.15	.13	.10	.07	.15	(b) Blown.....	.20	.18	.15	.12	.20
(iii) With double finished floor.....	.16	.14	.11	.08	.16	(22) Knee walls not accessible— Drawing 22.....	.19	.17	.14	.11	.19
(7) Ceilings in closed space under ridge or pitched roofs, where openings for the full length of ridge are necessary because of small clearance between ridge and ceiling areas.—Drawing 7— Unfloored.....	.14	.12	.09	.06	.14	(23) Stairwells and appurtenances. (Prices include opening and closing of plastered wall):	.17	.15	.12	.09	.17
(8) Flat built up roof type includ- ing row house construction and commercial buildings—Drawing 8.....	.14	.12	.09	.06	.14	(a) Soffits—Drawing 23.....					
(9) Flat roof decks covered with tin, copper or canvas—Draw- ing 9.....	.15	.13	.10	.07	.15	(b) Walls (measurement of walls may be taken as rectangular from floor to ceiling).....					
(10) Overhand—Drawing 10.....	.15	.13	.10	.07	.15						
(11) Dormer tops.—Drawing 11.....	.14	.12	.09	.06	.14	<b>EXTERIOR WALLS</b>					
(12) Bay window top or bottom— Drawing 12:						(Prices include cost of opening and closing)					
(a) Top.....	.14	.12	.09	.06	.14	(24) Exterior walls with inner fin- ish whose outer surfaces are composed of—(Drawings 24 to 30):					
(b) Bottom.....	.16	.14	.11	.08	.16	(a) Wood or asphalt shingles.....	.19	.17	.14	.11	.19
<b>FLOORS</b>						(b) Wood clapboard.....	.24	.22	.19	.16	.24
(Prices do not include cost of opening and closing)						(c) Brick or stone veneer.....	.24	.22	.19	.16	.24
(Prices do not include cost of retaining material)						(d) Stucco.....	.24	.22	.19	.16	.24
(13) Any exposed floors over garage ceilings, open porches or similar types of areas where the under side of the area to be insulated is closed and finished—Drawing 13.....	.16	.14	.11	.08	.16	(e) Asbestos cement shingles.....	.22	.20	.17	.14	.22
(14) Any exposed floors where the areas to be insulated are not closed and finished and where re- taining materials are required— Drawing 14.....	.15	.13	.10	.07	.15	(f) Insulated brick and stone novelty siding.....	.22	.20	.17	.14	.22
						(25 and 26) Gable and end walls with inner finish—Drawings 25, 26, and 27. Apply the prices listed under Categories 24 (a) to 24 (f), inclusive, de- pending upon the type of outer finish:					
						(27) Gable and end walls without inner finish—Drawings 25, 26, and 27—(batts or blankets).....					.18
						(28) Dormer cheeks and faces with inner finish—Drawings 28 and 29.....	.17	.15	.12	.09	.17
						(29) Dormer cheeks and faces with- out inner finish—Drawings 28 and 29—(batts or blankets).....					.18

NOTE: The maximum prices listed above in tables 1, 2, 3, and 4 are based upon an insulation thickness of 4 inches. For each inch of insulation over 4 inches, when ordered by the purchaser, the seller may make the following additional charges: 2¢ per square foot for flat areas, 2½¢ per square foot for vertical areas, and 2½¢ per square foot for sealed slopes, while for each inch of thickness under 4 inches, the seller shall deduct 1½¢ per square foot. A ½ inch tolerance may be allowed with respect to any such measurements.

The maximum prices listed above in table 5 are based upon an insulation thickness of 3 inches and over. For each inch or fraction of an inch of thickness of batts and blankets under 3 inches, the seller shall deduct 1½¢ per square foot.

Where a machine or crew of two or more workers is used on installed insulation jobs, and the total charge as determined in accordance with the maximum prices listed in the tables set forth above is \$40 or less, the seller may make an additional charge of \$10 for the job.



2. This Amendment No. 1 to Order G-16 shall become effective June 7, 1946.

Issued this 28th day of May 1946.

ARTHUR S. BRODHEAD,  
Acting Regional Administrator.

[F. R. Doc. 46-10275; Filed, June 13, 1946;  
4:39 p. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register June 14, 1946.

##### Region I

Hartford Order 5-F, Amendment 60, covering fresh fruits and vegetables in Waterbury and Watertown. Filed 10:56 a. m.

Hartford Order 6-F, Amendment 60, covering fresh fruits and vegetables in Hartford area. Filed 10:56 a. m.

Hartford Order 7-F, Amendment 60, covering fresh fruits and vegetables in the New Haven area. Filed 10:56 a. m.

Hartford Order 8-F, Amendment 60, covering fresh fruits and vegetables in the Bridgeport area. Filed 10:56 a. m.

Hartford Order 9-F, Amendment 22-A, covering fresh fruits and vegetables in certain areas in Connecticut. Filed 10:56 a. m.

##### Region III

Indianapolis Orders 8-O and 9-O, Amendment 4, covering eggs in certain counties in Indiana. Filed 10:58 a. m.

##### Region IV

Birmingham Order 5-F, Amendment 35, covering fresh fruits and vegetables in Jefferson county, Alabama. Filed 10:58 a. m.

Birmingham Order 26-F, Amendment 34, covering fresh fruits and vegetables in Mobile county, Alabama. Filed 10:59 a. m.

Birmingham Order 27-F, Amendment 36, covering fresh fruits and vegetables in Montgomery county, Alabama. Filed 10:59 a. m.

Birmingham Order 28-F, Amendment 34, covering fresh fruits and vegetables in Houston county, Alabama. Filed 10:59 a. m.

Birmingham Order 29-F, Amendment 33, covering fresh fruits and vegetables in Dallas county, Alabama. Filed 10:59 a. m.

Jackson Order 7-F, Amendment 35, covering fresh fruits and vegetables in certain counties in Mississippi. Filed 10:53 a. m.

Jackson Order 11-C, Amendment 6, covering poultry in the city of Jackson, Mississippi. Filed 10:54 a. m.

Memphis Order 8-F, Amendment 32, covering fresh fruits and vegetables in the city of Memphis and the county of Shelby, Tennessee. Filed 10:59 a. m.

Memphis Order 13-C, Amendment 7, covering poultry in city of Memphis and Shelby county, Tennessee. Filed 11:00 a. m.

##### Region II

District of Columbia Order 6-F, Amendment 19, covering fresh fruits and vegetables in the Washington, D. C., area. Filed 10:54 a. m.

District of Columbia Orders 8-C and 3-O, covering poultry and eggs in the Washington, D. C., area. Filed 10:54 a. m.

District of Columbia Order 1-M, Amendment 1, covering bottled beer and ale in the Washington, D. C., area. Filed 10:54 a. m.

Philadelphia Orders 4-C and 27-O, covering poultry and eggs in certain counties in Pennsylvania and Camden county, New Jersey. Filed 10:55 and 10:53 a. m.

Pittsburgh Order 9-F, Amendment 20, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:56 a. m.

Pittsburgh Order 10-F, Amendment 19, covering fresh fruits and vegetables in Allegheny county, Pennsylvania. Filed 10:57 a. m.

Pittsburgh Order 11-F, Amendment 19, covering fresh fruits and vegetables in Erie and Warren county, Pennsylvania. Filed 10:57 a. m.

Pittsburgh Order 12-F, Amendment 19, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:57 a. m.

Pittsburgh Order 13-F, Amendment 5, covering fresh fruits and vegetables in Crawford, Forest and Venango counties, Pennsylvania. Filed 10:57 a. m.

Pittsburgh Orders 27 and 28, and 8-W, covering dry groceries in certain counties in Pennsylvania. Filed 10:57 and 10:58 a. m.

Newark Order 11-C, covering poultry in certain counties in New Jersey and the Borough of North Plainfield in Somerset county, New Jersey. Filed 10:55 a. m.

Raleigh Orders 24 and 26, Amendment 3, covering dry groceries in the North Carolina area. Filed 10:54 a. m.

Raleigh Order 7-W, Amendment 4, covering dry groceries in the Raleigh area. Filed 10:54 a. m.

Syracuse Order 4-C, Amendment 9, covering poultry in certain areas in New York. Filed 10:55 a. m.

Syracuse Orders 5-C and 4-O, covering poultry and eggs in Broome and Tioga counties, New York. Filed 10:55 and 10:53 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 46-10360; Filed, June 17, 1946;  
1:39 p. m.]

[Region III Order G-44 Under RMPR 122,  
Corr.]

#### SOLID FUELS IN BAY CITY, MICH., AREA

In the drafting of Revised Order No. G-44 under Revised Maximum Price Regulation No. 122, issued on October 4, 1945 as an adopting order under Regional Basic Order No. G-74 under Revised Maximum Price Regulation No. 122, an error was made in the maximum price established for Lump and Egg Coal, Size Groups Nos. 1 and 2, and mined in Producing District No. 7.

This error appears in Part III, A, of the price schedule contained in paragraph (e) (1) of the said Revised Order No. G-44. The maximum price is therein erroneously listed at \$10.25. It was intended that the price be set forth as \$11.25.

Accordingly, it is hereby ordered that the maximum price set forth in Part III, A, of the price schedule contained in paragraph (e) (1) of Revised Order

No. G-44 under Revised Maximum Price Regulation No. 122 be corrected to read \$11.25.

This correction shall become effective October 4, 1945.

Issued: December 7, 1945.

JOHN F. KESSEL,  
Regional Administrator.

[F. R. Doc. 46-10277; Filed, June 14, 1946;  
4:33 p. m.]

[Region II Order G 12-A Under SR 15 and  
MPR 280]

#### FLUID MILK IN NEW YORK

For the reasons set forth in an opinion issued and filed with the Federal Register and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15, and §§ 1351.807 and 1351.817a of Maximum Price Regulation No. 280, as amended, and upon the written authorization of the Price Administrator pursuant to a directive from the Economic Stabilization Director, it is hereby ordered:

SECTION 1. *Explanation of the order.* This order fixes adjusted maximum prices for sales at wholesale and retail of Grade A raw and pasteurized fluid milk and special or premium fluid milk, both bulk and packaged, in specified summer resort areas within the State of New York for the period June 15, 1946, through September 30, 1946. Previous coverage under the General Maximum Price Regulation and Regional Orders Nos. G-9 and G-12, issued under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and § 1351.807 of Maximum Price Regulation No. 280, as amended, are withdrawn simultaneously with the expiration date of this order.

The provisions of Supplementary Order 163 are incorporated in this order.

Sec. 2. *Definitions.* For the purposes of this order:

(a) "Fluid milk" means cow's milk, raw or processed, which is sold for human consumption in fluid form as whole milk. It shall not include condensed or evaporated milk.

(b) "Packaged" or "in packages" means contained in glass or paper containers.

(c) "Bulk" means contained in other than glass or paper containers.

(d) "Approved fluid milk" means fluid milk which at least satisfies the minimum butterfat content, sanitary and health standards established by the appropriate statutes, orders or regulations of the State of New York, unless such definitions are superseded by statutes, orders or regulations of that political subdivision of the State of New York within which such type of milk is sold and delivered.

(e) "Special fluid milk" means approved fluid milk, which in addition (i) complies with quality or production standards established by governmental authorities or non-governmental medical, farm or trade bodies, or (ii) contains high butterfat content, or (iii) is processed in addition to, or other than by, cooling, weighing, testing, pasteurizing,



zation, reconstitution, packaging, or separation. For example, it includes certified, golden guernsey, high fat, homogenized, Vitamin D, Homogenized-Vitamin D, soft curd, skim, buttermilk (both cultured and churned) chocolate and chocolate drink.

(f) "Standard fluid milk" or "regular fluid milk" means approved fluid milk other than special fluid milk as defined above.

(g) "Grade A pasteurized fluid milk" and "Grade A Raw fluid milk" are standard or regular fluid milk and shall have the meanings prescribed for such types of milk by the appropriate statutes, orders or regulations of the State of New York unless such definitions are superseded by statutes, orders or regulations of that political subdivision of the State of New York within which such types of milk are sold and delivered.

(h) "Premium fluid milk" means special fluid milk (i) which was sold at a price differential above Grade A pasteurized fluid milk in a particular market during March 1942, or (ii) for which a price differential above Grade A pasteurized is established under the provisions of this order.

(i) "Subdealer" means any milk dealer handling Grade A pasteurized or raw fluid milk or any premium or special milk within the summer resort areas described herein who purchases such Grade A pasteurized or raw fluid milk or special or premium milk from processors or other milk dealers and who resells such milk in the same containers as those in which he purchased it.

(j) "Delivered" means delivered to the place of business of the purchaser or to the home of an ultimate consumer or to any place designated for the receipt of such Grade A pasteurized or raw fluid milk or special or premium milk by the purchaser, and shall not include sales at the handler's or dealer's own place of business.

(k) "F. o. b. the handler's receiving or processing plant" means a sale of Grade A pasteurized or raw fluid milk or special or premium milk, delivery of which is made to the purchaser at the handler's place of business.

(l) "At wholesale into-store", "at wholesale into-rooming house" and "at wholesale into-hotel and restaurant" mean a sale of Grade A pasteurized or raw fluid milk or special or premium milk delivered to the store, rooming house, hotel or restaurant as the case may be.

(m) "At retail out-of-store" and "at retail into-rooming house" mean a sale of Grade A pasteurized or raw fluid milk or special or premium milk at retail by a grocery store, meat market, dairy store, rooming house, or other establishment which delivers Grade A pasteurized or raw fluid milk or premium or special milk separately or together with other purchases and shall include a sale of Grade A pasteurized or raw fluid milk or premium or special milk at retail by a handler or subdealer at his plant or place of business.

(n) "At retail to-the-home" means a sale and delivery of Grade A pasteurized or raw fluid milk or special or premium milk at retail from an inventory stocked in trucks or other conveyances operated

by driver-salesmen over regular routes and shall not include a sale of Grade A pasteurized or raw fluid milk or special or premium milk at retail by a grocery store, meat market, dairy store, rooming house or other establishment which delivers such milk separately or together with other purchases.

(o) "To subdealers" means the sale of Grade A pasteurized or raw fluid milk or special or premium milk in glass or paper containers delivered to a subdealer at his plant or place of business.

(p) "Handler" means any person who on his own behalf or on behalf of another purchases fluid milk from producers, associations of producers or from other handlers, and who sells such fluid milk at wholesale in other than glass or paper containers to other than stores, hotels, restaurants and institutions.

SEC. 3. Maximum prices; Grade A pasteurized fluid milk—(a) Sales at wholesale and retail of Grade A pasteurized fluid milk in packages. The maximum price for sales of Grade A pasteurized fluid milk in packages; to subdealers, at wholesale into-store, into-rooming house, into-restaurant and hotel, at retail out-of-store, out-of-rooming house and to-the-home, shall be the applicable adjusted maximum price listed in Appendix A of this order for the particular sale in the particular area.

(b) Sales at wholesale of Grade A pasteurized fluid milk in bulk to stores, hotels, restaurants and institutions. The maximum price for sales at wholesale of Grade A pasteurized fluid milk in bulk to stores, hotels, restaurants and institutions shall be the applicable adjusted maximum price listed in Appendix B of this order for the particular sale in the particular area.

(c) Sales by handlers of Grade A pasteurized fluid milk in bulk. The maximum prices for sales by handlers at wholesale of Grade A pasteurized fluid milk in bulk to purchasers other than stores, hotels, restaurants and institutions, delivered at a place designated by the purchaser within the summer resort areas listed in Appendix C of this order, shall be the applicable adjusted maximum price set forth in Appendix C for the particular sale in the particular area.

(2) In the event that a handler sells such Grade A pasteurized fluid milk to a purchaser, f. o. b. the handler's receiving or processing plant, he shall deduct  $\frac{1}{2}$ ¢ per quart from the applicable adjusted maximum price set forth in Appendix C of this order.

SEC. 4. Maximum prices; Grade A raw fluid milk—(a) Sales at wholesale and retail of Grade A raw fluid milk in packages and in bulk. The maximum price for sales of Grade A raw fluid milk in the summer resort areas listed in Appendices A and B of this order, in quart or pint packages; to subdealers, at wholesale into-store, into-rooming house, into-restaurant and hotel, at retail out-of-store, out-of-rooming house and to-the-home; in bulk, at wholesale to stores, hotels, restaurants and institutions, shall be the seller's maximum price in March 1942 for such milk for the same type of sale and delivery in the same type and size of container, plus

the appropriate figure for his area set forth in Table A below.

TABLE A

	Per quart	Per pint
Appendices A and B:	Cents	Cents
Area I.....	1 $\frac{1}{2}$	1 $\frac{1}{2}$
II.....	1 $\frac{1}{2}$	1 $\frac{1}{2}$
III.....	1 $\frac{1}{2}$	1 $\frac{1}{2}$
IV.....	1 $\frac{1}{2}$	1 $\frac{1}{2}$
V.....	1 $\frac{1}{2}$	1 $\frac{1}{2}$
VI.....	1 $\frac{1}{2}$	1 $\frac{1}{2}$
VII.....	2	1
VIII.....	3	1 $\frac{1}{2}$
IX.....	3	1 $\frac{1}{2}$
X.....	2	1
Appendix B:		
Area XI.....	1	1 $\frac{1}{2}$
XII.....	1	1 $\frac{1}{2}$

SEC. 5. Maximum prices; special pasteurized and raw fluid milk—(a) Sales of special, raw or pasteurized fluid milk by sellers who sold Grade A pasteurized fluid milk in March 1942. The maximum price for sales of special raw or pasteurized fluid milk, in the summer resort areas listed in Appendices A and B of this order, in packages; to subdealers, at wholesale into-store, into-rooming house, into-restaurant and hotel, at retail out-of-store, out-of-rooming house and to-the-home; in bulk, at wholesale to stores, hotels, restaurants and institutions, shall be the seller's maximum price for the same type and size of container of special fluid milk in March 1942, plus an amount equal to the seller's absolute differential, if any, between his March 1942 price for Grade A pasteurized fluid milk and the applicable adjusted maximum price for the sale of Grade A pasteurized fluid milk listed in the appropriate area of Appendices A and B for the same type of sale in the same type and size of container.

(b) Sales of special raw or pasteurized fluid milk by sellers who did not sell Grade A pasteurized fluid milk in March 1942—(1) Special pasteurized fluid milk with 4.2% butterfat content or higher. The maximum price for sales of special fluid milk in the summer resort areas listed in Appendices A and B of this order in quart or pint packages; to subdealers, at wholesale into-store, into-rooming house, into-restaurant and hotel, at retail out-of-store, out-of-rooming house and to-the-home; in bulk, at wholesale to stores, hotels, restaurants and institutions, shall be the maximum prices set forth in Table B below.

TABLE B

Type and size of container:	Maximum price
In bulk or in quart packages.....	(1)
In pint packages.....	(2)

<sup>1</sup> The applicable maximum price specified for the sale of Grade A pasteurized fluid milk in the appropriate area of Appendices A and B for the same type of sale and delivery in the same type and size of container, plus  $\frac{1}{2}$  cent.

<sup>2</sup> The applicable maximum price specified for the sale of Grade A pasteurized fluid milk in the appropriate area of Appendices A and B, for the same type of sale and delivery in the same type and size of container.

(2) Special raw fluid milk with 4.2% butterfat content or higher. The maximum price for sales of special raw fluid milk with a butterfat content of 4.2% or higher in the summer resort areas listed in Appendices A and B of this order in



quart or pint packages; to subdealers, at wholesale into-store, into-rooming house, into-restaurant and hotel, at retail out-of-store, out-of-rooming house and to-the-home; in bulk, at wholesale to stores, hotels, restaurants and institutions, shall be the seller's applicable maximum price as specified in the appropriate area of Appendices A and B for sales of Grade A pasteurized fluid milk for the same type of sale and in the same type and size of container.

(3) *Special raw or special pasteurized fluid milk with less than 4.2% butterfat content.* The maximum price for sales of special raw or special pasteurized fluid milk with less than 4.2% butterfat content in the summer resort areas listed in Appendices A and B of this order in quart or pint packages; to subdealers, at wholesale into-store, into-rooming house, into-restaurant and hotel, at retail out-of-store, out-of-rooming house and to-the-home; in bulk, at wholesale to stores, hotels, restaurants and institutions, shall be the seller's maximum price in March 1942 for such milk for the same type of sale and delivery in the same type and size of container, plus the appropriate figure for his area set forth in Table A of Sec. 4.

SEC. 6. *Calculations.* Where the adjusted maximum price is a unit figure containing a fraction of a cent, the seller must multiply such fractional unit figure by the total number of units in each sale or series of sales for which a single collection is made. Where the resulting amount contains a fraction of a cent, or where only one unit is sold, the seller shall adjust the maximum price to the nearest full cent, except that if the fraction should be a half cent, the seller shall adjust the maximum price to the next higher full cent (for example, a maximum price of  $4\frac{1}{2}$ ¢ for one unit shall be adjusted to 5¢ for one unit, 9¢ for two units, 14¢ for three units, etc.).

SEC. 7. *Geographical applicability.* The provisions of this order shall apply to all sales and deliveries of Grade A pasteurized and raw fluid milk, special and premium fluid milk in packages in the summer resort areas described in Appendix A hereof; to all sales and deliveries of Grade A pasteurized and raw fluid milk, special and premium fluid milk in bulk in the summer resort areas described in Appendices B and C hereof.

SEC. 8. *Appendices.* Appendices A, B and C, are set forth on pages 8, 9 and 10, respectively, of this order.

*Effective period.* This Order No. G-12-A shall become effective June 15th, 1946, and shall terminate on September 30, 1946, unless earlier revoked.

This Order No. G-12A may be amended at any time.

Issued this 14th day of June 1946.

JAMES L. MEADER,  
Regional Administrator.

Approved: June 14, 1946.

H. L. FOREST,  
Acting Director, Dairy Branch,  
Production and Marketing  
Administration, United States  
Department of Agriculture.

For the reasons set forth in the accompanying opinion, and by virtue of the authority vested in me by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250, 9328, 9599 and 9697, I find that the issuance of Regional Order G-12-A under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, is necessary in the present emergency and will aid in the effective transition to a peacetime economy.

CHESTER BOWLES,  
Director,  
Office of Economic Stabilization.

## APPENDIX A

[Adjusted maximum prices for sales and deliveries of grade A pasteurized fluid milk in packages]

Summer resort areas	To subdealer	At wholesale into store	At wholesale into rooming-house	At wholesale into hotel and restaurant	At retail out-of-store, out-of-rooming-house and to-the-home
I. Greene County:	Cts.	Cts.	Cts.	Cts.	Cts.
Per quart.....	12	14½	15	15½	16
Per pint.....	7	7½	7½	7½	8½
Per ½ pint.....	3¾	4¾	4¾	4¾	5¼
II. Sullivan County except the villages of Liberty and Monticello:					
Per quart.....	12½	15½	15½	15½	17
Per pint.....	7	7½	7½	7½	8½
Per ½ pint.....	4¾	4¾	4¾	4¾	5¼
III. Sullivan County in part: Villages of Liberty and Monticello only:					
Per quart.....	12½	14½	15	15½	16
Per pint.....	7	7½	7½	7½	8½
Per ½ pint.....	4¾	4¾	4¾	4¾	5¼
IV. Ulster County:					
Per quart.....	12½	14½	15	15½	16
Per pint.....	7	7½	7½	7½	8½
Per ½ pint.....	4¾	4¾	4¾	4¾	5¼
V. Orange County in part: Towns of Crawford, Deerpark, and Mount Hope only:					
Per quart.....	12½	14½	15	15½	16
Per pint.....	7	7½	7½	7½	8½
Per ½ pint.....	4¾	4¾	4¾	4¾	5¼
VI. Columbia County:					
Per quart.....	12	14½	15	15½	16
Per pint.....	7	7½	7½	7½	8½
Per ½ pint.....	3¾	4¾	4¾	4¾	5¼
VII. Warren County:					
Per quart.....	12	14	15	15½	16
Per pint.....	7	7½	7½	7½	8½
Per ½ pint.....	3¾	4¾	4¾	4¾	5¼
VIII. Washington County in part: Towns of Putnam, Dresden, Fort Ann, Kingsbury, and Fort Edward only:					
Per quart.....	12	14	15	15½	16
Per pint.....	7	7½	7½	7½	8½
Per ½ pint.....	3¾	4¾	4¾	4¾	5¼
IX. Delaware County in part: Towns of Andes, Middletown, Roxbury, and Stamford only:					
Per quart.....	12	14½	15	15½	16
Per pint.....	7	7½	7½	7½	8½
Per ½ pint.....	3¾	4¾	4¾	4¾	5¼
X. Saratoga County in part: Town of Moreau only:					
Per quart.....	12	14	15	15½	16
Per pint.....	7	7½	7½	7½	8½
Per ½ pint.....	3¾	4¾	4¾	4¾	5¼

1 City of Kingston only.

## APPENDIX B

[Adjusted maximum prices for sales and deliveries of grade A pasteurized fluid milk in bulk to stores, hotels, restaurants, and institutions]

Summer resort areas	Container	Per quart	Per can
I. Greene County.....	40-quart can....	13	\$5.20
	20-quart can....	13½	2.70
II. Sullivan County except the villages of Liberty and Monticello.....	40-quart can....	14	5.60
	20-quart can....	14½	2.90
III. Sullivan County in part: Villages of Liberty and Monticello only.....	40-quart can....	14	5.60
	20-quart can....	14½	2.90
IV. Ulster County.....	40-quart can....	14	5.60
	20-quart can....	14½	2.90
V. Orange County in part: Towns of Crawford, Deerpark, and Mount Hope only.....	40-quart can....	14	5.60
	20-quart can....	14½	2.90
VI. Columbia County.....	40-quart can....	13	5.20
	20-quart can....	13½	2.70
VII. Warren County.....	40-quart can....	13	5.20
	20-quart can....	13½	2.70
VIII. Washington County in part: Towns of Putnam, Dresden, Fort Ann, Kingsbury, and Fort Edward only.....	40-quart can....	13	5.20
	20-quart can....	13½	2.70
IX. Delaware County in part: Towns of Andes, Middletown, Roxbury, and Stamford only.....	40-quart can....	13	5.20
	20-quart can....	13½	2.70
X. Saratoga County in part: Town of Moreau only.....	40-quart can....	13	5.20
	20-quart can....	13½	2.70
XI. Dutchess County.....	40-quart can....	12	4.80
	20-quart can....	12½	2.60
XII. Putnam County.....	40-quart can....	12	4.80
	20-quart can....	12½	2.50

## APPENDIX C

[Adjusted maximum prices for sales and deliveries of Grade A pasteurized fluid milk in bulk to purchasers other than stores, hotels, restaurants and institutions]

Summer resort areas	Container	Per quart	Per can
I. Greene County.....	40-quart can....	11	\$4.40
	20-quart can....	11½	2.30
II. Sullivan County: Except the villages of Liberty and Monticello.....	40-quart can....	11½	4.70
	20-quart can....	12¼	2.45
III. Sullivan County in part: Villages of Liberty and Monticello only.....	40 quart can....	11¼	4.70
	20 quart can....	12¼	2.45
IV. Ulster County.....	40 quart can....	11¼	4.70
	20 quart can....	12¼	2.45
V. Orange County in part: Towns of Crawford, Deerpark, and Mount Hope only.....	40 quart can....	11¼	4.70
	20 quart can....	12¼	2.45
VI. Columbia County.....	40 quart can....	11	4.40
	20 quart can....	11½	2.30
VII. Warren County.....	40 quart can....	11	4.40
	20 quart can....	11½	2.30
VIII. Washington County in part: Towns of Putnam, Dresden, Fort Ann, Kingsbury, and Fort Edward only.....	40 quart can....	11	4.40
	20 quart can....	11½	2.30
IX. Delaware County in part: Towns of Andes, Middletown, Roxbury, and Stamford only.....	40 quart can....	11	4.40
	20 quart can....	11½	2.30
X. Saratoga County in part: Town of Moreau only.....	40 quart can....	11	4.40
	20 quart can....	11½	2.30

[F. R. Doc. 46-10361; Filed, June 17, 1946  
1:40 p. m.]

## LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register June 13, 1946.

## Region III

Charleston Order 7-F, Amendment 66, covering fresh fruits and vegetables in certain areas in West Virginia. Filed 10:51 a. m.



Charleston Order 9-F, Amendment 66, covering fresh fruits and vegetables in Cabell county and the city of Huntington in Wayne county, West Virginia. Filed 10:52 a. m.

Charleston Order 10-F, Amendment 66, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:52 a. m.

Charleston Order 11-F, Amendment 66, covering fresh fruits and vegetables in Berkeley, Jefferson and Morgan counties, West Virginia. Filed 10:53 a. m.

Charleston Order 15-F, Amendment 63, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:53 a. m.

Charleston Order 16-F, Amendment 63, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:54 a. m.

Charleston Order 17-F, Amendment 62, covering fresh fruits and vegetables in certain counties in West Virginia. Filed 10:54 a. m.

Detroit Order 31, Amendment 3, covering dry groceries in certain counties in Michigan. Filed 10:55 a. m.

Detroit Order 20-W, Amendment 3, covering dry groceries in certain counties in Michigan. Filed 10:56 a. m.

Louisville Order 2-O, Amendment 4, covering eggs in certain counties in Kentucky. Filed 10:57 a. m.

#### Region IV

Memphis Order 9-F, Amendment 11, covering fresh fruits and vegetables in certain counties in Tennessee. Filed 10:57 a. m.

Memphis Order 16-C and 17-C, Amendment 3, covering poultry in Zone 19 in the Memphis area. Filed 10:57 and 10:58 a. m.

Memphis Orders 18-C and 19-C, Amendment 3, covering poultry in Zone 20 in the Memphis area. Filed 10:58 and 10:44 a. m.

Memphis Order 3-O, Amendments 3 and 4, covering eggs in Zone 9 in the Memphis area. Filed 10:45 and 10:46 a. m.

Memphis Orders 5-O and 5-O, Amendment 3, covering eggs in Zone 19 and 20 in the Memphis area. Filed 10:46 a. m.

Memphis Order 6-O, covering eggs in Zone 22 in the Memphis area. Filed 10:47 a. m.

Raleigh Order 13-F, Amendment 31, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 10:47 a. m.

Raleigh Order 14-F, Amendment 19, covering fresh fruits and vegetables in certain counties in North Carolina. Filed 10:48 a. m.

Raleigh Order 11-C, Amendment 13, covering poultry in certain counties in North Carolina. Filed 10:49 a. m.

Raleigh Order 12-C, Amendment 13, covering poultry in certain counties in North Carolina. Filed 10:49 a. m.

#### Region V

Dallas Order 4-F, Amendment 46, covering fresh fruits and vegetables in Dallas county, Texas. Filed 10:50 a. m.

Dallas Order 6-F, Amendment 35, covering fresh fruits and vegetables in McLennan county, Texas. Filed 10:50 a. m.

Dallas Order 8-F, Amendment 4, cov-

ering fresh fruits and vegetables in certain counties in Texas. Filed 10:51 a. m.

Dallas Orders 30 and 31, Amendments 3 and 5, covering dry groceries. Filed 10:44 a. m.

Dallas Orders 4-C and 10-O, covering poultry and eggs in cities of Dallas and University Park and Town or Highland Park, Texas. Filed 10:43 a. m.

Houston Orders 3-C and 5-O, covering poultry and eggs in Orange and Jefferson counties, Texas. Filed 10:33 a. m.

Houston Orders 4-C and 6-O, covering poultry and eggs in Galveston county, Texas. Filed 10:33 a. m.

Kansas City Order 14-F, covering fresh fruits and vegetables in certain areas in Missouri. Filed 10:34 a. m.

Kansas City Order 15-F, covering fresh fruits and vegetables in certain counties in Missouri. Filed 10:35 a. m.

Kansas City Order 16-F, covering fresh fruits and vegetables in certain counties in Missouri. Filed 10:36 a. m.

Oklahoma City Order 14-F, covering fresh fruits and vegetables in Garfield, Oklahoma and Pottawatomie counties, Oklahoma. Filed 10:37 a. m.

Oklahoma City Order 15-F, covering fresh fruits and vegetables in Muskogee and Tulsa counties, Oklahoma. Filed 10:38 a. m.

Oklahoma City Order 16-F, covering fresh fruits and vegetables in certain counties in Oklahoma. Filed 10:39 a. m.

Oklahoma City Order 17-F, covering fresh fruits and vegetables in certain counties in Oklahoma. Filed 10:40 a. m.

Oklahoma City Order 18-F, covering fresh fruits and vegetables in certain counties in Oklahoma. Filed 10:40 a. m.

Oklahoma City Order 19, Amendment 5, covering dry groceries sold by Groups 3 and 4 stores. Filed 10:41 a. m.

Oklahoma City Order 19, Amendment 6, covering dry groceries sold by Groups 3A and 4A stores. Filed 10:42 a. m.

Oklahoma City Orders 2-C and 1-O, covering poultry and eggs in Oklahoma, Tulsa and Muskogee counties, Oklahoma. Filed 10:42 a. m.

#### Region VI

Chicago Order 6-C, Amendment 21, covering poultry in Cook county, Illinois. Filed 10:30 a. m.

Sioux Falls Order 5-F, Amendment 20, covering fresh fruits and vegetables in the county of Minnehaha, South Dakota. Filed 10:30 a. m.

#### Region VIII

Seattle Order 17-F, Amendment 39, covering fresh fruits and vegetables in Bellingham and Everett, Washington. Filed 10:31 a. m.

Seattle Order 18-F, Amendment 40, covering fresh fruits and vegetables in Olympia, Baerdeen, Hoquiam, Centralia and Chehalis, Washington. Filed 10:32 a. m.

Seattle Order 19-F, Amendment 37, covering fresh fruits and vegetables in Yakima, Wenatchee and East Wenatchee, Washington. Filed 10:32 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F R. Doc. 46-10370; Filed, June 17, 1946; 4:46 p. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register June 14, 1946.

#### Region I

Boston Order 7-F, Amendment 59, covering fresh fruits and vegetables in certain defined areas in Massachusetts. Filed 2:16 p. m.

Boston Order G-3, Amendment 11, covering dry groceries in certain defined areas in New England. Filed 2:16 p. m.

Concord Order 5-O, Amendment 3, covering eggs for the State of New Hampshire. Filed 2:16 p. m.

New England Order 7-F, Amendments 59A and 60, covering fresh fruits and vegetables in the Boston area. Filed 2:16 p. m.

New England Order 8-F, Amendments 55 and 56, covering fresh fruits and vegetables in certain defined areas in Massachusetts. Filed 2:09 and 2:10 p. m.

New England Order 9-F, Amendments 56 and 57, covering fresh fruits and vegetables in certain defined areas in Massachusetts. Filed 2:10 p. m.

New England Order 11-F, Amendments 55 and 56, covering fresh fruits and vegetables in certain defined areas in Massachusetts. Filed 2:10 and 2:11 p. m.

New England Order 12-F, Amendment 25, covering fresh fruits and vegetables in certain defined areas in Massachusetts. Filed 2:11 p. m.

New England 13-F, Amendment 36, covering fresh fruits and vegetables in the Brockton area. Filed 2:11 p. m.

New England Order 13-F, Amendment 37, covering fresh fruits and vegetables in the Brockton area. Filed 2:11 p. m.

New England Order 14-F, Amendments 17 and 18, covering fresh fruits and vegetables in cities and towns of Barnstable county, Massachusetts. Filed 2:11 p. m.

#### Region II

Philadelphia Order 38, Amendment 4, covering dry groceries in Bucks, Chester, Delaware, Montgomery and Philadelphia counties, Pennsylvania. Filed 2:17 p. m.

Philadelphia Order 39, Amendment 4, covering dry groceries in Berks, Lehigh, and Northampton counties, Pennsylvania. Filed 2:17 p. m.

Philadelphia Order 40, Amendment 4, covering dry groceries in certain counties in Pennsylvania. Filed 2:11 p. m.

Philadelphia Orders 1 and 41, Amendment 4, covering dry groceries in certain counties in Pennsylvania. Filed 2:12 p. m.

Philadelphia Orders 1-W and 41, Amendment 4, covering dry groceries in certain counties in Pennsylvania. Filed 2:12 p. m.

Newark Order 10-C, covering poultry in Mercer county, New Jersey. Filed 2:17 p. m.

New York Order 10-C, covering poultry in the city of New York and Nassau and Westchester counties, New York. Filed 2:18 p. m.

#### Region III

Cincinnati Order 12-F, Amendment 15, covering fresh fruits and vegetables



in Franklin county, Ohio. Filed 2:12 p. m.

Cincinnati Order 16-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Ohio. Filed 2:12 p. m.

Cincinnati Order 17-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Ohio. Filed 2:12 p. m.

Cincinnati Order 18-F, Amendment 4, covering fresh fruits and vegetables in Hamilton county, Ohio and certain counties in Kentucky. Filed 2:13 p. m.

Cincinnati Order 19-F, Amendment 4, covering fresh fruits and vegetables in certain counties in Ohio. Filed 2:13 p. m.

Cincinnati Order 26, Amendment 4, covering dry groceries in certain areas in Ohio. Filed 2:13 p. m.

Cincinnati Order 10-W, Amendment 4, covering dry groceries in certain areas in Ohio. Filed 2:13 p. m.

Cleveland Order 3-F, Amendment 51, covering fresh fruits and vegetables in certain counties and townships in Ohio. Filed 2:13 p. m.

Cleveland Order 6-F, Amendment 29, covering fresh fruits and vegetables in Cuyahoga county, Ohio. Filed 2:14 p. m.

#### Region IV

Columbia Order 8-F, Amendment 32, covering fresh fruits and vegetables in the State of South Carolina. Filed 2:18 p. m.

Memphis Order 2-O, Amendment 13, covering eggs in Memphis and Shelby county, Tennessee. Filed 2:14 p. m.

Columbia Order 27-C, Amendment 11, covering poultry in Richland and Lexington counties, South Carolina. Filed 2:18 p. m.

Raleigh Order 8-W, Amendment 4, covering dry groceries in certain counties in the Raleigh area. Filed 2:16 p. m.

#### Region V

Fort Worth Order 13-F, Amendment 49, covering fresh fruits and vegetables in Tarrant county, Texas. Filed 2:19 p. m.

Fort Worth Order 19-F, Amendment 36, covering fresh fruits and vegetables in Taylor, Tom Green and Wichita counties, Texas. Filed 2:19 p. m.

Fort Worth Order 23-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Texas. Filed 2:19 p. m.

Fort Worth Order 25-F, Amendment 5, covering fresh fruits and vegetables in Brown, Eastland, Haskell and Jones counties, Texas. Filed 2:19 p. m.

Fort Worth Order 27-F, covering fresh fruits and vegetables in certain areas in Texas. Filed 2:19 p. m.

Fort Worth Orders 5-C and 1-O, covering poultry and eggs in Tarrant county, Texas. Filed 2:19 p. m.

Kansas City Order 4-F, Amendment 48, covering fresh fruits and vegetables in Johnson and Wyandotte counties, Kansas; Jackson county, Missouri and the city of North Kansas City, Missouri. Filed 2:17 p. m.

Kansas City Order 9-F, Amendment 32, covering fresh fruits and vegetables in Buchanan county, Missouri. Filed 2:17 p. m.

Kansas City Order 10-F, Amendment 32, covering fresh fruits and vegetables in Greene county, Missouri. Filed 2:18 p. m.

Kansas City Order 11-F, Amendment 32, covering fresh fruits and vegetables in Jasper county, Missouri. Filed 2:18 p. m.

#### Region VI

Springfield Order 24-F, Amendment 14, covering fresh fruits and vegetables in certain counties in Illinois. Filed 2:14 p. m.

Springfield Orders 60 and 61, Amendment 3, covering dry groceries. Filed 2:14 p. m.

Springfield Order 63, Amendment 4, covering dry groceries. Filed 2:15 p. m.

Springfield Orders 33-W and 34-W, Amendment 3, covering dry groceries. Filed 2:15 p. m.

Springfield Order 36-W, Amendment 4, covering dry groceries. Filed 2:15 p. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,  
Secretary.

[F. R. Doc. 46-10371; Filed, June 17, 1946; 4:46 p. m.]

[Region IV Order G-16 Under SR 15, MPR 280, MPR 329, Amdt. 6]

#### FLUID MILK IN DADE AND BROWARD COUNTIES, FLA.

For the reasons set forth in the opinion issued simultaneously herewith and under the authority vested in the Regional Administrator, Region IV of the Office of Price Administration by § 1499.75 (a) (9) (ii) (c) of the General Maximum Price Regulation and § 1351.408 (g) of Maximum Price Regulation 329, as amended, *It is hereby ordered*, That Order G-16 be amended in the following respects:

Section 14 (d) is amended by adding Table 8B at the end of the present section 14 (d) to read as follows:

Any seller in Dade and Broward Counties may sell approved Grade A Pasteurized Milk with a minimum butterfat content of 4.5% in any type of container at the following maximum prices:

	Wholesale	Retail out-of-store	Retail home-delivered
Quarts.....	18	20	21
Pints.....	10	11	11
½ pints.....	5	7	7

This amendment shall become effective June 17, 1946.

Issued June 17, 1946.

ALEXANDER HARRIS,  
Regional Administrator.

Approved: June 14, 1946.

H. L. FOREST,  
Acting Director, Dairy Branch,  
Produce and Marketing Administration,  
U. S. Department of Agriculture.

[F. R. Doc. 46-10387; Filed, June 17, 1946; 4:47 p. m.]

[Chicago Order G-3 Under RMPR 259]

#### DOMESTIC MALT BEVERAGES IN CHICAGO, ILL., METROPOLITAN DISTRICT

SEC. 1. *What this order does.* In accordance with the provisions of section 5.2 (c) of RMPR 259, this order establishes uniform maximum deposit charges which may be imposed by retailers for containers in connection with sales of domestic malt beverages in bottles.

SEC. 2. *Where this order applies.* The provisions of this order apply to all retailers in McHenry, Lake, Kane, DuPage and Cook (except the city of Chicago) counties, Illinois.

SEC. 3. *Applicability.* No retailer located within the area where this order is applicable may require a deposit from purchasers in excess of the sum permitted by this order.

SEC. 4. *Deposit charges established by this order.* The maximum deposit charges for all sellers to which this order is applicable are as follows:

Containers:	Cents
12-oz. ....	2
32-oz. bottle.....	5
64-oz. bottle.....	10

SEC. 5. *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in RMPR 259, as amended, shall apply to the terms used herein.

This order shall become effective June 8, 1946.

Issued this 27th day of May 1946.

JAMES F. RILEY,  
District Director.

[F. R. Doc. 46-10281; Filed, June 14, 1946; 4:34 p. m.]

[Newark Adopting Order 45 Under Basic Order 1 Under Gen. Order 68]

#### READY-MIX CONCRETE IN NORTHERN NEW JERSEY AREA

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and under the authority vested in the Regional Administrator of Region II by the Emergency Price Control Act of 1942 as amended, by General Order No. 68, as amended, and by Revised Procedural Regulation No. 1, which authority has been duly delegated by such Regional Administrator to the District Director, Newark District Office, it is hereby ordered,

SECTION 1. *What this order covers.* This adopting order under Basic Order No. 1 as amended under General Order 68, as amended, covers sales by all persons to ultimate users or to purchasers for resale on an installed basis of Ready-Mix Concrete of the types and compositions set forth in Schedule A, hereto annexed. All provisions of Basic Order No. 1, as amended under General Order No. 68 as amended are adopted in this order and are just as much a part of this order as if specifically set forth herein. If said Basic Order No. 1 as amended is further amended in any respect the provisions



of said order, as amended, shall likewise without further action become part of this order. All persons subject to this adopting order are also subject to Basic Order No. 1, as amended, under General Order 68 as amended and should be familiar with the provisions of said order.

**Sec. 2. Territory covered by this order.** The geographical area covered by this order consists of the counties of Bergen, Essex, Hudson, Passaic, and Union, in the Northern New Jersey Area, all in the State of New Jersey.

**Sec. 3. Maximum prices.** The maximum prices for Ready-Mix Concrete covered by this order are set forth in Schedule A hereto annexed and made a part of this order.

**Sec. 4. Discounts, allowances, and terms of sale.** The delivery conditions, terms of sale, discounts, and differentials are set forth in Schedule A hereto annexed.

**Sec. 5. Relationship of this order to Basic Order No. 1, as amended, under General Order No. 68, as amended, and to General Maximum Price Regulation and other maximum price regulations.** As previously stated all provisions of Basic Order No. 1, as amended, are adopted by this order. The maximum prices fixed by this order supersede any maximum price or pricing method previously established by Maximum Price Regulation 592 or by any other applicable regulation or order. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of Maximum Price Regulation 592 or any other applicable regulation or order shall remain applicable to sales covered by this order.

**Sec. 6. Posting of maximum prices.** Every seller making sales covered by this order shall post a copy of the applicable list of maximum prices fixed by this order in each of his places of business within any of the counties covered by this order.

**Sec. 7. Records and sales slips—(a) Required information.** The provisions of section (e) of Basic Order No. 1, as amended, covering sales slips and records are adopted in and applicable to this order as though specifically set forth herein, and also, on any sale of \$25.00 or more, each seller, regardless of previous custom, must keep records showing at least the following:

- (1) Name and address of buyer.
- (2) Date of transaction.
- (3) Place of delivery.
- (4) Complete description of each item sold and price charged, specifying the type of mix and the type of aggregate.

(b) **Maximum prices for insufficiently described items.** Where the seller's records or sales slip upon a sale of Ready-Mix Concrete in the area covered by this order, do not contain a sufficiently complete description to identify the type of mix and the nature of the aggregate and thus determine the maximum price fixed by the applicable schedule of the order, the maximum price applicable to such sale shall be the maximum price of the lowest priced type of mix and aggregate listed in the applicable schedule to

which the incomplete description could apply. In the absence of any description, the maximum price shall be the lowest price that can be computed under the applicable schedule of this order.

**Sec. 8. Revocation or amendment.** This order may be revised, amended, revoked or modified at any time by the Office of Price Administration.

This order shall become effective June 17, 1946.

Issued this 12th day of June 1946.

R. J. TARRANT,  
District Director.

#### SCHEDULE A

[Maximum delivered prices per cubic yard for Ready-Mix Concrete of the types Listed below on sales in the counties of Bergen, Essex, Hudson, Passaic and Union, all in the State of New Jersey on sales by all persons to ultimate users or to purchasers for resale on an installed basis]

Mix	Gravel, grit or cinders	Crushed stone, dolomite or trap rock
1-1-1	\$12.65	\$12.90
1-1-1-1	11.50	11.75
1-1-1-1-1	9.45	9.70
1-1-1-1-1-1	9.00	9.25
1-1-1-1-1-1-1	9.00	9.25
1-2-3	8.90	9.00
1-2-3-1	8.70	8.80
1-2-4	8.55	8.65
1-2-4-1	8.45	8.70
1-2-4-1-1	8.30	8.55
1-2-5	8.20	8.30
1-2-5-1	8.20	8.45
1-3-5	8.00	8.25
1-3-6	7.95	8.05
1-4-8	7.20	7.75

Mix	CEMENT MORTARS OR "GROUT" MIXES	Price
1-1		\$17.30
1-1-1-1		14.85
1-2		12.45
1-2-1-1		11.85
1-3		11.30
1-3-1-1		11.00

ADDITIONAL CHARGES FOR ADMIXTURES	
Calcium chloride	\$0.04 per lb.
Hydrated lime	\$0.01 per lb.
"Hy-Block"	Present customary differentials.
Handling charge for other material supplied by contractor.	\$0.25 per cu. yd.

The above prices are subject to the following delivery conditions:

Minimum unloading time	20 minutes.
Charge beyond minimum	\$5.00 per hour.
Overtime charge regular workday and for Saturday.	\$0.75 per cu. yd.
Customary practices for Sunday and Holiday overtime charges shall be maintained.	
Minimum load delivered	5 cubic yards.
Split Load charges:	
1 cu. yd.	\$5.00 per cu. yd.
2 cu. yds.	\$3.00 per cu. yd.
3 cu. yd.	\$2.00 per cu. yd.
4 cu. yds.	\$0.50 per cu. yd.
Discount	2% ten days from date of invoice.

[F. R. Doc. 46-10276; Filed, June 14, 1946; 4:32 p. m.]

[Region III Order G-1 Order MPR 592]

#### STANDARD READY MIXED CONCRETE IN CUYAHOGA COUNTY, OHIO

For the reasons set forth in an opinion issued simultaneously herewith, filed with the Division of the Federal Register and under the authority vested in the Regional Administrator of the Office of Price Administration by section 17 and section 23 of Maximum Price Regulation 592, it is ordered:

**SECTION 1. What this order does.** This order fixes maximum delivered prices for all sales of standard ready mixed concrete when sold by producers located in the Cuyahoga County area.

**Sec. 2. Definitions.** "Ready mixed concrete" is the product obtained by the mixing of cement, water and aggregates such as sand, gravel and crushed stone in the producer's plant and delivered in trucks or other conveyances for pouring at a job site.

"Standard ready mixed concrete" is ready mixed concrete whose component proportions are expressed in numerical symbols historically adopted in trade practice and limited to the kinds described in section 9.

"Zone I" includes the area inscribed by the arc with a radius of 4 miles in length originating at the Public Square, Cleveland, Ohio.

"Zone II" includes the area inscribed by the arc with a radius 7 miles in length originating at the Public Square, Cleveland, Ohio but excluding Zone I.

"Zone III" includes the area inscribed by the arc with a radius 10 miles in length originating at the Public Square, Cleveland, Ohio but excluding Zone I and Zone II.

"Zone IV" includes the area inscribed by the arc with a radius 13 miles in length originating at the Public Square, Cleveland, Ohio, but excluding Zones I, II, and III.

**Sec. 3. Geographical applicability.** This order applies to all sales of standard ready mixed concrete made by producers located in Cuyahoga County, Ohio and delivered in Zones I, II, III and IV.

**Sec. 4. Relation to MPR 592.** Except to the extent it is inconsistent with the provision of this order, MPR 592 together with all amendments and orders thereto that have been or may be issued shall apply to sales covered by this order.

**Sec. 5. Maximum prices.** The maximum prices for sales of standard ready mixed concrete covered by this order are provided in section 9 of this order.

**Sec. 6. Guaranteed price.** A seller may offer to sell ready mixed concrete covered by this order on the basis of a guaranteed price, but such guaranteed price must not be higher than the maximum price calculated in accordance with the pricing methods and requirements of this order.

**Sec. 7. Records.** Each seller must keep at his place of business, available for inspection by representatives of the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, records concerning each sale covered by this order, showing the following:

1. Name and address of purchaser.
2. Location of job.
3. Date of transactions.
4. Itemized description of the ready mixed concrete sold and the prices charged.

**Sec. 8. Notification.** Each seller making a sale covered by this order shall, if requested by the purchaser make available to the purchaser for inspection, a



copy of this order and a copy of MPR 592. Upon completion of the sale, the seller shall if requested by the purchaser furnish to him a statement showing the following:

1. Names and addresses of the seller and the purchaser.
2. Location of the job.
3. The date the material was delivered.
4. An itemized description of the material delivered and prices charged.
5. The statement shall also include the following: "Prices authorized by Order G-1 of Section 17 and Section 23 of MPR 592."

**SEC. 9. Maximum prices, standard ready mixed concrete based on zone deliveries.**

BASING POINT PUBLIC SQUARE, CLEVELAND, OHIO

QUANTITY 50 CUBIC YARDS AND OVER

Type of mix	Zone I Up to 4 miles	Zone II 4-7 miles	Zone III 7-10 miles	Zone IV 10-13 miles
1-1-2	\$9.90	\$10.35	\$10.80	\$11.25
1-1½-3	8.90	9.35	9.80	10.25
1-2-3	8.55	9.00	9.45	9.90
1-2½-3	8.40	8.85	9.30	9.75
1-2½-3½	8.15	8.60	9.05	9.50
1-2-4	8.15	8.60	9.05	9.50
1-2½-4	7.95	8.40	8.85	9.30
1-3-4	7.80	8.25	8.70	9.15
1-2½-5	7.65	8.10	8.55	9.00
1-3-5	7.35	7.80	8.25	8.70
1-3-6	7.15	7.60	8.05	8.50
1-4-8	6.55	7.00	7.45	7.90
1-2 finish	11.90	12.35	12.80	13.25
1-2½ finish	10.95	11.40	11.85	12.30
1-3 finish	10.10	10.55	11.00	11.45

QUANTITY 4 TO 50 CUBIC YARDS

1-1-2	\$10.85	\$11.30	\$11.75	\$12.20
1-1½-3	9.90	10.35	10.80	11.25
1-2-3	9.55	10.00	10.45	10.90
1-2½-3	9.35	9.80	10.25	10.70
1-2½-3½	9.15	9.60	10.05	10.50
1-2-4	9.15	9.60	10.05	10.50
1-2½-4	8.90	9.35	9.80	10.25
1-3-4	8.75	9.20	9.65	10.10
1-2½-5	8.60	9.05	9.50	9.95
1-3-5	8.35	8.80	9.25	9.70
1-3-6	8.10	8.55	9.00	9.45
1-4-8	7.50	7.95	8.40	8.85
1-2 finish	13.40	13.85	14.30	14.75
1-2½ finish	12.45	12.90	13.35	13.80
1-3 finish	11.60	12.05	12.50	12.95

UNDER 4 CUBIC YARDS

1-1-2	\$12.45	\$12.90	\$13.35	\$13.80
1-1½-3	11.50	11.95	12.40	12.85
1-2-3	11.20	11.65	12.10	12.55
1-2½-3	10.95	11.40	11.85	12.30
1-2½-3½	10.75	11.20	11.65	12.10
1-2-4	10.75	11.20	11.65	12.10
1-2½-4	10.55	11.00	11.45	11.90
1-3-4	10.35	10.80	11.25	11.70
1-2½-5	10.20	10.65	11.10	11.55
1-3-5	9.95	10.40	10.85	11.30
1-3-6	9.75	10.20	10.65	11.10
1-4-8	9.15	9.60	10.05	10.50
1-2 finish	15.55	16.00	16.45	16.90
1-2½ finish	14.60	15.05	15.50	15.95
1-3 finish	13.75	14.20	14.65	15.10

**SEC. 10. Resellers increases.** Resellers of standard ready mixed concrete may add to their presently established maximum selling prices, the actual dollar and cent increases permitted the producers under this order.

**SEC. 11. Ready mixed concrete not described in section 9.** Maximum prices for sales of ready mixed concrete not described in section 9 are provided for in Maximum Price Regulation 592, as amended, and orders issued thereunder.

**SEC. 12. Discounts, allowances and extra charges.** The sellers described in this area order must continue to maintain all discounts and allowances granted during March 1942 and are permitted to add to the maximum prices in section 9, charges for such extras customarily added during March 1942 as for example, special charges for fractional cubic yard deliveries, night and Sunday deliveries, and charges for requested additives or substitutions of component material parts.

**SEC. 13. Amendment.** This order may be amended or revoked at any time by the Office of Price Administration.

This order shall become effective December 3, 1945.

Issued this 27th day of November 1945.

JOHN F. KESSEL,  
Regional Administrator.

[F. R. Doc. 46-10278; Filed, June 14, 1946;  
4:33 p. m.]

[Region III Order G-2 Under MPR 592]

CINDER PRODUCTS, INC.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority granted to the Regional Administrator by section 16 of Maximum Price Regulation No. 592, it is hereby ordered:

(a) *What this order does.* This order authorizes an adjustment of the maximum prices established under Maximum Price Regulation No. 592 by Cinder Products, Incorporated, Este Avenue, Elmwood, Cincinnati, Ohio, for its sales of cinder blocks.

(b) *Maximum prices.* (1) The said Cinder Products, Incorporated is hereby authorized to increase its maximum prices for cinder blocks established under Maximum Price Regulation No. 592 by no more than 15%.

(2) Said percentage increase shall be applied to the maximum prices established by said Cinder Products, Incorporated for each class of purchaser of said commodity after allowance for customary discounts and other price differentials has been made.

(c) *Maximum prices for resellers.* The maximum prices for the commodities covered by paragraph (b) above on sales by any reseller to any class of purchaser shall be the price determined by increasing the maximum price which such reseller had in effect to such purchaser, just prior to the issuance of this order, by the actual dollar and cent increase by which such resellers' invoiced cost of such item is increased.

(d) *Notification.* At the time of, or prior to the first sale to a purchaser for resale on and after the effective date of this order, the seller shall notify the purchaser of the adjustment hereby granted and of the provisions of this order specifying determination of maximum prices for resellers. Such notice shall be given in any convenient form.

(e) *Definitions.* Except as the context otherwise requires, the definitions contained in Maximum Price Regula-

tion No. 592 shall apply to all terms used herein.

(f) *Extent of grant of application.* All requests for adjustment of maximum prices not specifically granted hereby, are denied.

(g) *Revocation or amendment.* This order may be modified, amended or revoked at any time by the Office of Price Administration.

(h) *Effective date.* This order shall become effective January 24, 1946.

Issued January 24, 1946.

JOHN F. KESSEL,  
Regional Administrator.

[F. R. Doc. 46-10279; Filed June 14, 1946;  
4:33 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1316]

EAST COAST PUBLIC SERVICE CO. AND VIRGINIA EAST COAST UTILITIES, INC.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of June A. D. 1946.

Notice is hereby given that a joint declaration has been filed with this Commission, pursuant to sections 7 and 12 (b) of the Public Utility Holding Company Act of 1935 and Rule U-45 promulgated thereunder, by East Coast Public Service Company, a registered holding company and its public utility subsidiary company Virginia East Coast Utilities, Incorporated.

Notice is further given that any interested person may, not later than June 24, 1946, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt the transactions therein proposed as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration, which is on file in the offices of the Commission, for a statement of the transactions therein proposed, which are summarized below:

Virginia East Coast Utilities, Incorporated proposes to issue and sell to Baltimore National Bank of Baltimore, Maryland, its promissory note in the principal amount of \$150,000, bearing interest at the rate of 2½% per annum, maturing six months after date of issue. The proceeds of such sale are to be used for the construction of property additions, East Coast Public Service Com-



pany proposes to guarantee the repayment of such note with interest to Baltimore National Bank.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 46-10389; Filed, June 18, 1946;  
10:22 a. m.]

[File No. 70-1312]

#### STANDARD GAS AND ELECTRIC CO.

##### NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of June 1946.

Notice is hereby given that Standard Gas and Electric Company ("Standard"), a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder. Declarant designates section 12 (d) of the act and Rules U-44 and U-50 of the Commission as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than June 25, 1946, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter said application may be granted as provided in Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereunder. Any request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to the declaration which is on file with this Commission for a statement of the transactions therein proposed which is summarized as follows:

Standard proposes to sell, pursuant to the competitive bidding requirements of Rule U-50, 140,614 shares (representing 56.39% of the outstanding shares) of the presently outstanding 249,354.80 shares of common stock, without par value, of Mountain States Power Company, a Delaware corporation. Standard will apply the net proceeds of the aforesaid sale towards the payment of interest and principal on its promissory notes dated April 10, 1946, issued to banks under the Bank Loan Agreement of Standard dated December 31, 1945, as later amended (copies of which are now on file with this Commission, File No. 70-1211). It is represented that such sale is for the purpose of enabling Standard to comply with the provisions of subdivision (b) of section 11 of the Public Utility Holding Company Act of 1935 and with the order of the Commission dated August 8, 1941, issued pursuant thereto (File No. 59-9). Standard requests that in connection with this matter an order be entered finding that such sale is in accord with such section and previous order, so that there will be applicable to such sale the

provisions of sections 371 (b), 371 (f), and 1808 (f) of the Internal Revenue Code.

Declarant has requested that the Commission enter its order not later than June 28, 1946, in order to facilitate the proposed sale at competitive bidding.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 46-10390; Filed, June 18, 1946;  
10:22 a. m.]

[File No. 811-164]

#### NATIONAL UNION MORTGAGE CORP.

##### NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 17th day of June A. D. 1946.

National Union Mortgage Corporation, a registered investment company, having filed an application pursuant to section 8 (f) of the Investment Company Act of 1940 for an order of the Commission declaring it has ceased to be an investment company within the meaning of the act;

It is ordered, Pursuant to section 40 (a) of the said act that a hearing on the aforementioned application be held on June 26, 1946 at 10:00 a. m. eastern daylight time in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia 3, Pennsylvania; and

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's rules of practice.

Notice of such hearing is hereby given to National Union Mortgage Corporation and to any other persons whose participation in such proceeding may be in the public interest or for the protection of investors.

By the Commission.

[SEAL] NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 46-10391; Filed, June 18, 1946;  
10:22 a. m.]

[File No. 54-146]

#### PORTLAND GAS & COKE CO.

##### NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 14th day of June A. D. 1946.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Portland Gas & Coke Company ("Portland"), a gas utility subsidiary of American Power & Light Company ("American"), a registered

holding company subsidiary of Electric Bond and Share Company, also a registered holding company. The filing seeks approval, pursuant to section 11 (e) and other applicable sections of the act, of a program by Portland (1) to refund its presently outstanding mortgage bonds and provide \$1,753,000 for new construction and (2) to reclassify its presently outstanding 6% and 7% preferred stocks, \$100 par value, and no par value common stock into a new class of common stock.

All interested persons are referred to said document which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized below.

Portland is an Oregon corporation principally engaged in the manufacture and distribution of gas in Oregon and Washington. It also sells by-products obtained in connection with the manufacture of gas.

Of the securities of Portland outstanding, American is the owner and holder of all of the common stock (with the exception of ten directors' qualifying shares); such common stock represents 83% of the voting power of the company.

As an initial step in carrying out the program described above, Portland proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, \$10,000,000 principal amount of thirty-year-% First Mortgage Bonds to be dated July 1, 1946 and to be issued under a Mortgage and Deed of Trust. The interest rate of said bonds (to be a multiple of  $\frac{1}{8}$  of 1%) and the price to be received by Portland (to be not less than 100% of principal amount and not in excess of 102 $\frac{1}{4}$ % of such principal amount) are to be determined by competitive bidding. Portland also proposes to enter into a loan agreement with certain banks and, pursuant thereto, to borrow at 1 $\frac{1}{4}$ % interest the sum of \$500,000. Repayment of said loans will be made semi-annually in the amount of \$50,000, the last payment to be made in 1951.

The proceeds from the sale of the First Mortgage Bonds and the proposed bank loans are to be used (1) to redeem Portland's First and Refunding Mortgage 5% Gold Bonds due 1940 (extended to January 1, 1950) outstanding in the principal amount of \$5,751,000, at 100% of principal amount thereof and accrued interest; to redeem its First Lien and General Mortgage Gold Bonds, Series of "4 $\frac{1}{2}$ % due 1940" (extended to January 1, 1950) outstanding in the principal amount of \$2,625,000, at 100% of principal amount thereof and accrued interest, and to retire Portland Gas Company's non-callable First Mortgage 5% Gold Bonds due 1951, assumed by Portland, at 100% of principal amount thereof (\$371,000) plus interest to maturity, and (2) to provide additional funds for construction requirements and expansion of its facilities during 1946 and 1947.

Upon consummation of the initial step described above, and for the purpose of fairly and equitably distributing voting power among its security holders and to complete the simplification of its capital structure in order to meet the standards of section 11 (b) (2), Portland proposes



to reclassify its outstanding 7% and 6% preferred stocks and common stock into a single class of common stock. The details of such reclassification of preferred and common stocks of Portland into a new class of common stock will be the subject of a subsequent amendment to the filing herein.

Portland requests that the order of the Commission herein contain recitals that the issuance of bonds and notes are necessary or appropriate to effectuate the provisions of section 11 (b) of the act in accordance with the meaning and requirements of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said application and that said application shall not be granted except pursuant to further order of the Commission:

*It is ordered*, That a hearing on said application under the applicable provisions of the Act and the Rules of the Commission thereunder be held on June 25, 1946 at 10:00 a. m., e. d. s. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held. The applicants have designated sections 6 (b), 11 (b) and 11 (e) of the act and Rule U-42 thereunder as applicable to the proposed transactions.

*It is further ordered*, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a Trial Examiner under the Commission's rules of practice.

*It is further ordered*, That the hearing to be convened on June 25, 1946 be confined to a consideration of the proposed issue and sale of first mortgage bonds and note proposed to be issued and sold by the applicant. Thereafter, at such time as an amendment shall be filed with respect to the proposed reclassification of the outstanding preferred and common stocks of Portland, hearings will be reconvened and appropriate notice thereof will be duly given.

*It is further ordered*, That the Secretary of the Commission shall serve, by registered mail, a copy of this order on the applicant herein and on the Public Utility Commission of the State of Oregon and the Department of Public Utilities of the State of Washington; and that said notice of hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or proposing to intervene herein, shall file with the Secretary of the Commission on or before June 25, 1946 his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

*It is further ordered*, That, without limiting the scope of issues presented by said application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed issue and sale of the new bonds and notes are solely for the purpose of financing the business of Portland and have been expressly authorized by the State regulatory authorities of the states in which it is organized and doing business.

(2) Whether the fees, commissions, or other remunerations to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount.

(3) What terms or conditions, if any, with respect to the proposed transactions should be prescribed in the public interest or for the protection of investors or consumers.

(4) Generally, whether the proposed transactions comply with the applicable provisions of the act and the rules, regulations and orders promulgated thereunder.

By the Commission.

[SEAL] Nellye A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 46-10392; Filed, June 18, 1946;  
10:22 a. m.]

[File No. 70-1315]

AMERICAN POWER & LIGHT CO.

#### NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of June, A. D. 1946.

Notice is hereby given that a declaration has been filed by American Power & Light Company ("American"), a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, pursuant to the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder.

Notice is further given that any interested person may, not later than July 1, 1946 at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declaration as filed or as amended may be permitted to become effective pursuant to Rule U-23 of the rules and regulations promulgated pursuant to said act. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pa.

All interested persons are referred to said document which is on file in the office of this Commission, for a statement of the transactions, therein proposed, which are summarized as follows:

The Washington Water Power Company ("Washington"), a subsidiary of American has outstanding 2,541,800 shares of no par common stock having a

stated value of \$10 per share. Included in this figure are 2,430 shares issuable for 243 shares of \$100 par value common stock. American owns approximately 99.7% of such stock and desires to acquire the minority interest in order to facilitate future steps it proposes to take to meet the requirements of section 11 of the Public Utility Holding Company Act of 1935. To this end American in May 1946, acting through a broker, undertook to purchase under the exemption afforded by paragraph (a) (6) of Rule U-40 of the Rules and Regulations promulgated pursuant to said act, such stock as was owned by the general public, offering \$18 for each share of no par common stock and \$180 for each share of common stock of the par value of \$100 per share. Under this offer 3,230 shares have so far been acquired. In making such offer American agreed that if within 3 years from May 7, 1946 it should resell any shares purchased at prices in excess of the prices stated above or should purchase from any other holder of any such common stock any shares thereof at prices in excess of the prices stated above, the maximum excess over the above prices so received or paid by American would be paid to all sellers for each share purchased as a result of the offer, with appropriate adjustments for contributions, if any, made after May 7, 1946 by American to Washington. Any distribution of Washington's common stock to American's stockholders was not to be considered a sale within the meaning of the foregoing.

American is informed that 490 shares of no par common stock of such minority interest are owned by officers and directors of Washington and states that by reason of the positions held by such officers and directors they are, under the Public Utility Holding Company Act of 1935, affiliates of Washington. American states further that the acquisition by it of said shares of common stock of Washington from such officers and directors is not within the exemption provided by paragraph (a) (6) of Rule U-40. American accordingly requests authority, in the present filing to acquire such shares from such officers and directors for the consideration and on the basis set forth above. Such consideration would amount to a total of \$8,820 for the 490 shares held by said officers and directors.

American has requested that the Commission enter an order permitting said declaration to become effective by July 6, 1946. The company has designated sections 9 (a), 10 and 12 (f) of the act as applicable to the proposed transactions.

By the Commission.

[SEAL] Nellye A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 46-10393; Filed, June 18, 1946;  
10:23 a. m.]

[File No. 54-51]

NATIONAL POWER & LIGHT CO.

#### NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of June, A. D. 1946.



Notice is hereby given that National Power & Light Company (National), a registered holding company and a subsidiary of Electric Bond and Share Company (Bond and Share), also a registered holding company, has filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935; and

Notice is further given that any interested person may, not later than July 3, 1946 at 5:30 p. m., e. d. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said application-declaration may be granted as provided in Rule U-23 of the rules and regulations promulgated under said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. All interested persons are referred to the application-declaration which is on file in this Commission for a statement of the transaction therein proposed which is summarized as follows:

National proposes, subject to requisite stockholder approval, to reduce the capital of National represented by the 5,468,927 shares of common stock of National issued and outstanding (including 12,827 shares held in the treasury) from \$98,520,845 to \$546,892.70 and to create thereby, after adjustment of treasury shares, capital surplus in the amount of \$97,910,878.23. National states that the proposed reduction in capital is a preliminary step to the distribution of its assets in compliance with the order of dissolution of this Commission dated August 23, 1941, directed against National.

By the Commission.

[SEAL]

NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 46-10394; Filed, June 18, 1946;  
10:23 a. m.]

[File No. 70-1310]

WEST TEXAS UTILITIES CO.

#### NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania on the 14th day of June 1946.

Notice is hereby given that a declaration has been filed with this Commission under the Public Utility Holding Company Act of 1935, and particularly under section 12 (d) and Rule U-44 promulgated thereunder, by West Texas Utilities Company (West Texas), a subsidiary of American Public Service Company (American), a registered holding company.

All interested persons are referred to said document which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

The Commission, in its order of January 24, 1944, issued pursuant to section 11 (b) (1) of the act in the matter of The Middle West Corporation and its Subsidiary Companies (Holding Company Act Release No. 4846), directed American, among other things, to dispose of its interest in the electric, ice and water properties of West Texas Utilities Company in the Dalhart and Texline areas located in the counties of Ballam, Hartley, Sherman and Moore in the State of Texas. The Commission, in its findings, opinion and order of April 30, 1946, issued pursuant to section 11 (e) of the act in the matter of Central and South West Utilities Company, et al. (Holding Company Act Release No. 6606), approved, among other things, subject to an enforcement order by an appropriate court, the sale by American and the acquisition by West Texas of 25,643 shares of the preferred stock of West Texas at cost to American of \$1,809,474, which is \$70.564 per share.

West Texas, a public utility company, proposes to sell its electric, ice and water properties located in the Dalhart and Texline areas to Southwestern Public Service Company, a public utility company, for a base price of \$2,135,000, of which \$1,310,000 shall be for the electric properties, \$650,000 for the water properties, and \$175,000 for the ice properties. West Texas proposes to deposit the proceeds of the sale in the first instance with the Trustee under the company's mortgage dated August 1, 1943, and to withdraw such proceeds pursuant to the provisions of the mortgage. Thereupon, the proceeds, or an amount equivalent to such proceeds, will be expended for the purchase of the 25,643 shares of West Texas' preferred stock now owned by American, and the balance will be invested in electric utility plant or will be expended for such other purposes as are specified in section 372 of the Internal Revenue Code.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration and that said declaration shall not be permitted to become effective except pursuant to further order of the Commission:

It is ordered, That a hearing on said declaration under the applicable provisions of the act and the rules of the Commission thereunder be held on July 2, 1946 at 10:30 a. m., e. d. s. t., in the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such day the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That the Secretary of the Commission shall serve by registered mail copies of this order on

the New Mexico Public Service Commission, the Federal Power Commission, and on the declarant herein; and that notice of said hearing be given to all other persons by publication of this order in the FEDERAL REGISTER. Any person desiring to be heard in connection with these proceedings, or otherwise to participate herein, shall file with the Secretary of the Commission, on or before June 27, 1946, his request or application therefor, as provided by Rule XVII of the rules of practice of the Commission.

It is further ordered, That, without limiting the scope of the issues presented by said declaration, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed sale by West Texas is in conformity with the standards and requirements of section 12 (d) of the act and the applicable rules and regulations promulgated thereunder, including maintenance of competitive conditions.

2. Whether State laws regarding the proposed sale have been complied with.

3. Whether the accounting entries proposed in connection with the proposed sale are appropriate and in accordance with sound accounting principles and practices.

4. Whether the terms and conditions of the proposed sale are detrimental to the public interest or the interest of investors or consumers.

5. Generally whether the proposed transactions comply with the applicable provisions of the act and the rules, regulations and orders promulgated thereunder.

By the Commission.

[SEAL]

NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 46-10395; Filed, June 18, 1946;  
10:23 a. m.]

#### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 6315]

LOUIS ECKSTEIN

In re: Bank account owned by Louis Eckstein. F-28-17638-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Louis Eckstein, whose last known address is Turke Str 23 Burgstienfurt, Westfalen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Charles G. Frank, Trustee, by The Northern Trust Company, 50 South La Salle Street, Chicago, Illinois, arising out of a Checking Account, entitled Charles G. Frank, Trustee for Louis Eckstein, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of



ownership or control by, Louis Eckstein, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 21, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-10286; Filed, June 17, 1946;  
10:39 a. m.]

[Vesting Order 6399]

ALVINA KEUTEL

In re: Bank account owned by Alvina Keutel. File No. F-28-22587.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Alvina Keutel, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Alvina Keutel, by the Bank of America National Trust & Savings Association, 1 Powell Street, San Fran-

cisco, California, arising out of a savings account, Account Number 24163, entitled Alvina Keutel, maintained at the branch office of the aforesaid bank located at San Diego Main Office, 615 Broadway, San Diego, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on May 24, 1946.

[SEAL]

JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-10287; Filed, June 17, 1946;  
10:39 a. m.]

[Vesting Order 6396]

CHRISTINE DIEFENTHAL

In re: Bank account owned by Christine Diefenthal. File No. F-28-23748.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Christine Diefenthal, whose last known address is Cologne, Ehrenfeld, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Christine Diefenthal, by The First National Bank of Chicago, Dearborn, Monroe and Clark Streets, Chicago, Illinois, arising out of a savings account, Account Number 1,375,052, entitled Christine Diefenthal, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.



Executed at Washington, D. C., on June 3, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-10288; Filed, June 17, 1946;  
10:39 a. m.]

[Vesting Order 6414]

T. MIZOGUCHI

In re: Bank account owned by T. Mizoguchi.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That T. Mizoguchi, whose last known address is Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to T. Mizoguchi, by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, arising out of a dollar checking account, entitled T. Mizoguchi, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest.

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim,

together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 4, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-10289; Filed, June 17, 1946;  
10:39 a. m.]

[Vesting Order 6420]

CHARLES RIEKER

In re: Bank account owned by Charles Rieker. File No. F-28-229 E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Charles Rieker, whose last known address is Oskar-Piepgasstrasse 21, prt. 1, Hamburg-Horn, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Karoline Rieker, by Central Savings Bank in the City of New York, Broadway at 73rd Street, New York, New York, arising out of a savings account, Account Number 1,241,314, entitled Karoline Rieker in trust for Charles Rieker, maintained at the branch office of the aforesaid bank located at 14th Street and 4th Avenue, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Charles Rieker, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the

Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 4, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-10290; Filed, June 17, 1946;  
10:39 a. m.]

[Vesting Order 6421]

DOROTHEA SCHATTMANN

In re: Bank account owned by Dorothea Schattmann. File No. F-28-3360-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Dorothea Schattmann, whose last known address is 19 Trarbacherstr, Berlin-Weissensee, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Dorothea Schattmann, by The Northern Trust Company, 50 South La Salle Street, Chicago 90, Illinois, arising out of a checking account, entitled Dorothea Schattmann, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and



certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 4, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-10291; Filed, June 17, 1946;  
10:40 a. m.]

[Vesting Order 6452]

ERNST OSTHOFF

In re: Bank account owned by Ernst Osthoff. File No. F-28-11907-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Ernst Osthoff, whose last known address is 55 Meckenstecker Weg, Essen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Ernst Osthoff, by the Cleveland Trust Company, Euclid and East 9th, Cleveland, Ohio, arising out of a savings account, Account Number 49570, entitled Ernst Osthoff by Emil Dencker, Agent, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the

aforsaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-10292; Filed, June 17, 1946;  
10:40 a. m.]

[Vesting Order 6455]

F. STELLOH

In re: Bank account owned by F. Stelloh. File No. F-28-12317-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That F. Stelloh, whose last known address is 110 Langenstrasse, Bremen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Thos. J. Williams, also known as Thomas J. Williams, by The

Lynchburg National Bank and Trust Company, Lynchburg, Virginia, arising out of a checking account, entitled Thos. J. Williams, Trustee for F. Stelloh, a National of Germany, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by F. Stelloh, the aforsaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 5, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-10293; Filed, June 17, 1946;  
10:40 a. m.]

[Vesting Order 6463]

CLARA ANDRE

In re: Bank account owned by Clara Andre. File No. F-28-2034-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and



Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Clara Andre, whose last known address is Hanau, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Clara Andre, by National State Bank of Newark, N. J., 810 Broad Street, Newark 2, New Jersey, arising out of a checking account, entitled Clara Andre, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges, or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 6, 1946.

[SEAL] JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-10294; Filed, June 17, 1946;  
10:40 a. m.]

[Vesting Order 6464]

GERTRUD CANTHAL

In re: Bank account owned by Gertrud Cantnal. File No. F-28-22870-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Gertrud Cantnal, whose last known address is Hanau, Germany, is a resident of Germany and a national of designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Gertrud Cantnal, by National State Bank of Newark, N. J., 810 Broad Street, Newark 2, New Jersey, arising out of a checking account, entitled Gertrud Cantnal, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 6, 1946.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-10295; Filed, June 17, 1946;  
10:40 a. m.]

[Vesting Order 6465]

WERNER CANTHAL

In re: Bank account owned by Werner Cantnal. File No. F-28-2134-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Werner Cantnal, whose last known address is Hanau, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Werner Cantnal, by National State Bank of Newark, N. J., 810 Broad Street, Newark 2, New Jersey, arising out of a checking account, entitled Dr. W. Cantnal, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice



of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 6, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-10296; Filed, June 17, 1946;  
10:41 a. m.]

[Vesting Order 6466]

ELIZABETH CONRING

In re: Bank account owned by Elizabeth Conring. File No. F-28-22856-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Elizabeth Conring, whose last known address is Hanau, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Elizabeth Conring, by National State Bank of Newark, N. J., 810 Broad Street, Newark 2, New Jersey, arising out of a checking account, entitled Elizabeth Conring, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and

when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 6, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-10297; Filed, June 17, 1946;  
10:41 a. m.]

[Vesting Order 6467]

PAULA EMGE

In re: Bank account owned by Paula Emge. File No. F-28-2230-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Paula Emge, whose last known address is Hanau, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Paula Emge, by National State Bank of Newark, N. J., 810 Broad Street, Newark 2, New Jersey, arising out of a checking account, entitled Paula Emge, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and

when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 6, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-10298; Filed, June 17, 1946;  
10:41 a. m.]

[Vesting Order 6468]

AUGUSTE HERAEUS

In re: Bank account owned by Auguste Heraeus. File No. F-28-2331-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Auguste Heraeus, whose last known address is Hanau, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Auguste Heraeus, by National State Bank of Newark, N. J., 810 Broad Street, Newark 2, New Jersey, arising out of a checking account, entitled Auguste Heraeus, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to



be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 6, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-10299; Filed, June 17, 1946;  
10:41 a. m.]

[Vesting Order 6469]

BERTHA HERAEUS

In re: Bank account owned by Bertha Heraeus. File No. F-28-2332-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Bertha Heraeus, whose last known address is Hanau, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Bertha Heraeus, by National State Bank of Newark, N. J., 810 Broad Street, Newark 2, New Jersey, arising out of a checking account, entitled Bertha Heraeus, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the na-

tional interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 6, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-10300; Filed, June 17, 1946;  
10:41 a. m.]

[Vesting Order 6470]

CARL HERAEUS

In re: Bank account owned by Carl Heraeus. File No. F-28-2333-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Carl Heraeus, whose last known address is Hanau, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Carl Heraeus, by National State Bank of Newark, N. J., 810 Broad Street, Newark 2, New Jersey, arising out of a checking account, entitled Carl

Heraeus, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 6, 1946.

[SEAL] JAMES E. MARKHAM,  
*Alien Property Custodian.*

[F. R. Doc. 46-10301; Filed, June 17, 1946;  
10:41 a. m.]

[Vesting Order 6471]

ELSE HERAEUS

In re: Bank account owned by Else Heraeus. File No. F-28-2334-E-1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:



1. That Else Heraeus, whose last known address is Hanau, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Else Heraeus, by National State Bank of Newark, N. J., 810 Broad Street, Newark 2, New Jersey, arising out of a checking account, entitled Else Heraeus, and any and all rights to demand, enforce, and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 6, 1946.

[SEAL]

JAMES E. MARKHAM,  
Alien Property Custodian.

[F. R. Doc. 46-10302; Filed, June 17, 1946;  
10:41 a. m.]

[Vesting Order 6544]

MARIE W. LUMMUS

In re: Estate of Marie W. Lummus, deceased; File D-28-10189; E. T. sec. 14584.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever, of Mrs. Herman Albers, Mrs. Dora Muller, Mrs. Johann Kastens, Heinrich Klinker, Johann Klinker, Friedrich Klinker and Mrs. Marie Smith, and each of them, in and to the Estate of Marie W. Lummus, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

*Nationals and Last Known Address*

Mrs. Herman Albers, Germany.  
Mrs. Dora Muller, Germany.  
Mrs. Johann Kastens, Germany.  
Heinrich Klinker, Germany.  
Johann Klinker, Germany.  
Friedrich Klinker, Germany.  
Mrs. Marie Smith, Germany.

That such property is in the process of administration by Clyde W. Atkinson, as Executor, acting under the judicial

supervision of The County Judge's Court, Leon County, Florida;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on June 13, 1946.

[SEAL]

FRANCIS J. McNAMARA,  
Deputy Alien Property Custodian.

[F. R. Doc. 46-10303; Filed, June 17, 1946;  
10:42 a. m.]



